

LOUISIANA WILD LIFE AND FISHERIES COMMISSION

---:---

P R O C E E D I N G S

BOARD MEETING

Thursday, October 31, 1974

10:00 o'clock a.m.

H. C. LUTTRELL, Chairman

Wild Life and Fisheries
Building
400 Royal Street
New Orleans, Louisiana

Kathryn G. Chamberlin,
Reporter.



Helen R. Dietrich, inc.
Stenotypists

333 ST. CHARLES AVENUE, SUITE 1221
NEW ORLEANS, LOUISIANA 70130 • (504) 524-4787

P R O C E E D I N G S

. . . The regular monthly Board Meeting of the Louisiana Wild Life and Fisheries Commission was held on Thursday, October 31, 1974, at 10:00 o'clock a.m., at the Wild Life and Fisheries Building, 400 Royal Street, New Orleans, Louisiana, H. C. Luttrell, Chairman, presiding.

PRESENT WERE:

H. C. LUTTRELL, Chairman

MARC DUPUY, JR., Vice-Chairman

J. B. ANGELLE, Director

D. G. BERRY, Member

J. H. LAPEYRE, Member

D. F. WILLE, Member

A G E N D A

1. Approval of minutes of June 21, August 27 and September 24, 1974. (4)

DR. LYLE ST. AMANT

2. Discussion of dredging problems in Vermilion and Cote Blanche Bay. (6)

MR. RICHARD YANCEY

3. Discussion of federal proposals to require (81)



the use of iron shot for hunting migratory waterfowl.

4. Discussion of land acquisition. (99)
5. Balance due Ducks Unlimited - \$36,105.25. (94)

MR. HARRY SCHAFFER

6. Opening of Calcasieu Lake for oyster tonging. (103)

MR. ALLAN ENSMINGER

7. Request from Pennzoil Producing Company for access to proposed State Lease 6110, Well No. 1 location on Rockefeller Wildlife Refuge. (109)
8. Consideration of change in rules and regulations for mineral activity on Rockefeller to be made part of tracts to be offered for bids by Mineral Board. (114)

MR. KENNETH SMITH

9. Acceptance of low bid of \$28,600 submitted by Hammett & Sons for construction of two water wells and two turbine pumps and controls at Monroe Fish Hatchery. (120)

MR. JOE HERRING

10. Hunting seasons on Red River Wildlife Management Area. (124)



- 4
11. Telephone right-of-way, District IV. (129)
 12. Acceptance of Ft. Pike boat ramp. (133)
 13. Acceptance of fence on Pearl River. (135)

OTHER BUSINESS

14. Acceptance of completed work at wharf by (137)
Cool-View Awning - \$5,345.
 15. Acceptance of low bid of \$14,870 plus 10 per- (138)
cent engineering fee by Suburban Electric,
Inc. for installation of a new main
electrical distribution panelboard.
- Introduction of visitors. (5)
- November meeting dates. (139)

---:---

CHAIRMAN H. C. LUTTRELL: We are ready to start our meeting. The first item on the agenda of course is the approval and adoption of minutes of meetings of June 21, August 27 and September 24, 1974. Do I hear a motion?

MR. D. F. WILLE: Motion.

MR. MARC DUPUY: Second.

THE CHAIRMAN: It has been moved by Mr. Wille, seconded by Mr. Dupuy, that the minutes stand approved as published and as read by the



members. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Carried.

I believe we have Mayor Daigre of New Iberia with us this morning. We are always glad to have our state officials in. Would you stand, please, sir? I don't know the gentleman. Mayor Daigre.

(Mayor Daigre acknowledges introduction and applause.)

We have a good many other people with us that we are always happy to have. I am glad that you are interested in the Wild Life and Fisheries Commission and think it is important that you come up and find out what we are doing. Of course, I can't truthfully say that we always enjoy criticism, but I will tell you this, we don't refrain from it, and we have always let you have a right to speak what you think. Glad to have you. If it is criticism that's good, that's fine; if it's bad, it's still all right. Glad to have you, Mayor.



Dr. St. Amant.

DR. LYLE S. ST. AMANT: Mr. Chairman, --

THE CHAIRMAN: Dr. St. Amant, our Director just told me that Mr. Henry Bernard had requested this meeting of the New Iberia Rod and Gun Club, and we are happy to have you here, the entire club. I have been out of the United States and I just hadn't been briefed on these things. I would like to recognize Mr. Bernard.

Thank you. Now, Doc, if you will forgive us for the delay, we are ready to go.

DR. ST. AMANT: Well, I was going to suggest, Mr. Chairman, since this group are the ones who requested that this item be placed on the agenda, they be given the floor to present their case. Now, if you would like, I can review the dredging in this area and in the state historically and give you some information on how the leases operate, whichever way you would like to do it.

MR. D. G. BERRY: I would like to hear their side of it and then, Dr. St. Amant, hear your thoughts on it.

THE CHAIRMAN: Doc, I think you are



correct. I will call them first then, so, Mr. Bernard, if you are going to present the case to start with, we will ask you to come to the mike and state your name so we can have it for the record and who you represent, please, sir.

MR. HENRY BERNARD, JR.: Thank you, Mr. Chairman. My name is Henry Bernard, Jr. I am a state director of the Louisiana Wild Life Federation. I have been a member of the Iberia Rod and Gun Club for a number of years, past president. I was fortunate enough to be on a program in February with the Director, at which I was selected as the Conservationist of the Year in the Governor's Conservation Award Program. I have been active in conservation in Louisiana for ten or fifteen years.

Mr. Chairman and Members of the Commission, Mr. Director, members of the Wild Life and Fisheries Commission staff, and ladies and gentlemen, first of all I would like to state that it is an honor and a privilege and we in the community of Acadiana and New Iberia in particular thank you for the opportunity of allowing us to come before you and present to you what we feel is the Acadiana



area sportsmen's views and speak to you about a problem which we feel is a grave and serious one.

Before I go any further, there are some people who, with considerable difficulty and trouble and duress, have come from New Iberia, Lafayette, St. Martinville and the surrounding areas to express to you, the members of the Commission, our concern over this problem. Some may want to address you at a later date after I finish; some may not. But I would like at this time to ask them to stand and be recognized, those of you who have come from our area, to express your concern over this problem.

(Visitors stand and acknowledge introduction.)

Thank you. Gentlemen, I would like to address myself to three points. First, I would like to address myself to an identification of what I consider the problem to be. Secondly, I would like to make a short response to some of the criticism which has in the last few weeks and months been leveled at my organization and others. Lastly, I would like to ask and relate to you, the



members of the Commission, what we, the citizens in Louisiana, are requesting from you, our Wild Life and Fisheries Commission.

First let's talk about the problem. Well, as we all know, the problem is shell dredging, but it is not the total matter of shell dredging throughout the state of Louisiana or shell dredging along the entire coast of the state of Louisiana. The problem that we are concerned with is primarily shell dredging off the Marsh Island coast and within the Vermilion Bay areas and Cote Blanche Bay areas which is in the vicinity of Iberia and St. Martin Parishes and possibly partly in Vermilion Parish.

We, the area citizens and sportsmen in this area in conservation, oppose the particular dredging activities in these areas and our opposition stems from and is based on some of the following considerations.

The first one that we feel is a consideration of potential historical significance and importance. These areas are valuable cultural assets and a natural resource of cultural heritage



and historical significance. They have been there for generations. If we do not destroy them, they will continue to be there for additional generations. They lie along the shipping lines that vessels took in the 16th and 17th century and some archeological sites and historical finds may be found in these particular areas.

Louisiana now has the technology through GSRI to evaluate these particular areas prior to any dredging and determine whether or not there are any shipwrecks, archeological sites or historical locations available, plot them and determine them before any dredging is done. We feel that this is one consideration that is important.

Also, we in Acadiana and we in this area in particular feel that these reefs in this area constitute a valuable buffer zone in times of adverse weather conditions. It gives us hurricane protection. It gives us high water protection. It gives us flood water protection. These reefs help protect the coastline. They help protect Marsh Island itself and they help prevent the influx of salt water during periods of hurricanes and high



winds, leaving only the areas that are open and partially reefed for these flood waters to come into. We think it slows flood waters, slows tides and potential tidal waves coming from hurricanes, and we are fearful of what will happen if the reefs are lost.

Also, one of the greatest and most important considerations is this area is an area of extremely prolific sport fishing activity. It is also an area of prolific commercial fisheries. The sport fishing use of this area is probably one of the highest densities in the entire Acadiana area. It is used by many, many people on virtually every weekend and during the weekdays. Of course, we recognize that the sport fishing industry and the related licensing fees, related sales and excise taxes, gasoline taxes and contributions made by the sportsmen generally constitute millions of dollars into the treasury of the state of Louisiana annually.

We feel, gentlemen, that it does not make any sense in this day and time to take this valuable historical, natural asset, and destroy it,



when neighboring adjacent states such as Texas, also in Florida, some parts of Alabama, are literally spending millions of dollars to recreate artificially what we have naturally. Just recently there is a plan proposal out of Port Aransas, Texas to sink some 21 Liberty ships at a cost of hundreds of thousands of dollars to create a sport fishing industry, to create areas for fish to congregate, breed, and provide habitat. We have these facets naturally, and if we allow them to be removed and destroyed, then we are depleting and destroying forever a resource which is in and of itself a replenishable resource for one that is a depletable resource. Once it is removed, its value to marine life is gone and destroyed.

This is the question of the depletable resource versus the renewable resource.

Another factor which we in this area feel is very significant is, quite frankly, gentlemen, this is all we have, and we come to you to let you know this is all we have. If you will look to the east of us, you will see the areas of Grand Isle, Isles Dernieres, Timbalier, Chandeleur --



beautiful beaches, lovely sand, great habitat for wild life, marine life. You look to the west of us, and you will find Cameron, Holly Beach -- the same type of condition.

What do we have in our area? We have reefs. What do we have other than the reefs? We have mud. That is it -- pure mud. We have no sand. We have no natural beaches. We spent a million dollars trying to create one at Cypremort Point, but other than this, there is no natural sand in the area. To take away these reefs we feel will take away the breeding grounds for the marine estuaries. It will destroy the whole food life chain cycle, starting from the amoeba on up to the smaller fishes and then the larger fishes which feed on the smaller fishes.

We face a serious problem because we feel that marine resources do not like mud habitats for their breeding areas. They rely on these reefs and they rely on these areas.

Also, we feel that we must take a look at the future. What does the future hold for the people of Acadiana with regard to their great natural



resources and the great natural resources of our coastline in this area?

We feel that we have some very bright outlooks. Oh, there are some dim outlooks and the prophets of doom will tell you how Vermilion Bay and Cote Blanche Bay will be nothing but an area which you can walk over in fifty years, anyway, because of siltation from the Atchafalaya River, et cetera. We have all heard that. We know these comments. We know these problems. Of course, we in this area are familiar with them, too.

But the other thing is, too, we do have some avenues of hope and we do have some rays or glimmers. We all recall twenty years ago when this area was a beautiful, wonderful, vast area of tremendous sports fisheries and marine resources. We recall the opening of the Wax Lake Canal. We recall the flooding through Bayou Salle. We recall the siltation. We recall the fresh water intrusion. We recall the destruction of Vermilion Bay and Cote Blanche Bay as salt or saline bays, as you have in Barataria or Caillou or these areas.

But this can be restored, and there is a



strong possibility that it will be restored, as you gentlemen are aware of the proposals and the recommendations which have been made by the Governor's Atchafalaya Basin Commission regarding the preservation of this great natural resource. Part of those proposals include the lower end of the Atchafalaya River, the completion of this project. Also part of the proposed activities and what this particular Commission has recommended and various other conservationists and state organizations and associations have recommended is the extension of this particular water body and the diking of it or leveeing of it or jettying it is the proper word I was looking for, approximately two miles out in the Gulf, past Point au Fer.

If this is ever done, and we know that because of the recent flooding conditions and everything else what high priorities have been placed by the Corps on the completion of the lower Atchafalaya River project. This is a very high priority, I understand now. I am sure you gentlemen are more familiar with that than I. But if this project is ever done, this could be the



salvation of this entire area.

Then we have an area in which the siltation and the fresh water is diffused into deeper water further offshore, allowing it to gradually become diffused and not completely destroy the saline content, returning these bays and these areas to a very useful and productive estuary. I don't mean to imply that they are not now, because quite frankly there are some of these ladies and gentlemen who had to give up some very, very good fishing trips in this area right now. The specks are running in the cove and the reds are running on Marsh Island.

These are some of the things that we can look for in the future, so I don't believe the prophets of doom who say to let them take the reefs because there is going to be nothing but mud there in a few years, anyway. I think it is time that we look progressively, we look forward, and we stop this attitude that there won't be anything left, and we look forward to preserving those great and natural resources in areas which we presently have today.



The final thing that I would like to speak to you on our considerations as to why we feel these areas are important is, of course, the facet of multiple use. I remember going initially back in what was in 1968, after the Charlie platform spill of '70 or what-have-you, when the Interior Department was trying to shut down our offshore drilling, and many of our conservationists throughout the state went there and spoke and told them that if they didn't want to produce in California, that was their right, but we wanted our production here. We knew what could be done and we knew it could be done in a reasonable, careful and prudent way.

The point we emphasized to the Interior Department and the point that the Interior Department felt needed emphasis is multiple use. Multiple use. These reefs provide multiple use. They provide a great form of multiple use, for wildlife, sport fisheries, commercial fisheries, recreational potential. If they are gone, the multiple use potential is gone, because they are not renewable once they have left.



I would like to turn now to the second point that I told you that I would discuss, and that was some brief response to the criticism that has been leveled at our organization and those who have expressed a belief that these valuable natural resources should be saved.

Some of the first criticism is that they say that we don't know what we are doing, we don't know what we are talking about, and we never have, that we haven't listened. Gentlemen, we have been listening since 1970. I have been talking since 1970. This problem came up at least in August of 1970, when surveys were attempted to be made of Mound Point and were made by the proposed applicant. At this time a great deal of public sentiment and arousal came up. There were a number of meetings, proposals, presentations, and we tried to listen to all sides of the story.

There has also been the comment made that we only represent five or six vocal people -- that's all that are involved here -- just five or six people running off at the mouth, making a lot of noise. Well, those five or six people are here



today, and if those five or six got off their work and came, believe me, there are many, many more back home. I can tell you truthfully and honestly that I represent a lot more than five or six people. If I didn't, I don't think that I would have the full and complete support of my state senator, Senator Paul Hardy, who has publicly come out in opposition to the proposed dredging. I don't think Representatives Beau and Ackel from my district would have publicly come out in opposition to the projects if we did not have the support of the people in our community.

I do not think that the Iberia Parish Policy Jury would have unanimously opposed the project after having also met with the dredging people. I do not think the Iberia Rod and Gun Club or the Louisiana Wildlife Federation or the New Iberia City Council or the New Iberia K. C. Fishing Rodeo group would have all been opposed to this project if it were only composed of five or six people.

I represent, and I think I represent well, the people of Acadiana, the sport fishermen, the commercial fishermen, the multiple users, and they



are virtually to a man opposed to this project.

Now there has been a lot of talk about the particular companies involved being concerned about the issues and wanting to see that no environmental damage is done. Gentlemen, I don't believe this. I don't believe it all. I think they only have one concern, and that concern is shells, and that is justifiably so. I don't fault them for that. That is their business. I feel my business is preserving for my children, my grandchildren, my great grandchildren wonderful things, such as the Atchafalaya Basin, this area and other areas. It is a matter of where your values lie, where your judgments lie.

Fifteen years ago, 20 years ago, before all of this environmental movement had its strength, we tried to save an area. It was an area called Rabbit Island. I don't know whether you gentlemen are familiar with what Rabbit Island was 15 years ago, but I can take you to it and you might find it today.

The people involved claim that they say they don't want to operate in certain areas, and



they have written to you gentlemen of the Commission and said they are not going to operate in certain specific areas. But when we requested, Senator Hardy and I, that they remove these areas from their permit application, at the Atchafalaya Basin Commission meeting, they refused. Like a fellow on the Commission said, he said, "There is one thing I don't understand." He said, "If you and I are going to a restaurant and as we walk in the gate you tell me, 'I don't want any French fries; I am not going to eat any French fries; all I want is a good steak medium rare,' and you sit down and a waitress comes and you order a good steak medium rare and French fries, why did you order the French fries if you are not going to eat them?"

Another matter which I have heard lately is individuals saying, "We have been maligned and our story has not been told. You have been getting all the publicity. You have been doing all the talking." Well, maybe we feel it is important and we want to talk. They say, "Our message hasn't got across," but I find that a little strange and



a little hard to believe.

The Iberia Parish Police Jury passed a resolution opposing this project. Approximately two weeks later, at the request of the applicants a meeting was held with the applicants and the Iberia Parish Police Jury, at which time the Iberia Parish Police Jury refused to rescind its previous resolution, and approximately three weeks later when the permit application was modified and a new notice was sent out, a new resolution in opposition was passed by the Iberia Parish Police Jury.

Over two and a half hours debate was held at the Atchafalaya Basin Commission meeting, in which all people were present. Your Dr. St. Amant, representatives of the Army Corps of Engineers, representatives of the dredging companies, the permit applicant, and representatives of wild life groups.

This is my response to those particular statements.

There are also some other things which I feel are applicable in this particular phase of the discussion. I recall in 1970, when this matter



first came up, a letter written by Lake Charles Towing and Dredging Company to the then Director, Mr. Clark Hoffpauer, at which time it was indicated that only survey work was being done, and prior to the actual institution of any work a detailed and proposed plan would be submitted to the Commission for their review and approval.

It was also indicated that the various conservation and other interested parties would be given the opportunity to examine this proposal. As of this date I have seen no proposal. I am wondering, gentlemen of the Commission, has any form of proposal been presented to you, the Commission, detailing and outlining what dredging will be done in what areas, in what manner and to what extent, for your approval to determine whether or not it interferes with present oyster bottom resources or whether it is detrimental to the environment or marine life. If so, I haven't seen it, and I know of no one who opposes this project who has seen it. If it has not been presented, I wonder why.

Also, there are some relations about a study. Well, you know, we were the people who



asked for a study four years ago, in 1970. I am quite frankly, gentlemen, tired of asking for studies. In 1970 we asked for a study and there was an indication that it would be made. Right now there is some discussion that presently a study is being undertaken by GSRI. Why has it taken four years for this study to be undertaken by GSRI? Why is the study not going to be completed before all of these various permit applications are presented, in order that we could have the availability of this expertise and information in determining whether or not permit applications should be issued?

Now, let me say one thing. I realize that there is a definite distinction between a permit application as presently applied for, and applied through the Corps of Engineers, and the position of the Wild Life and Fisheries Commission. I understand the position of the Wild Life and Fisheries Commission, that you have a valid, outstanding pre-existing lease which dates back almost fourteen years, and that you do not have the permit application pending before you. This is before the Army Corps of Engineers, so I am not discussing



this to you gentlemen. I am merely making these points, that this information has never been made public and these recurring permit applications are now being made.

So, I think at this point it is a good time to go into my third item, and the third item is, what am I doing here, what do I want, what am I asking for.

Well, we are asking for help and assistance through the Wild Life and Fisheries Commission. We realize that there is an avenue of approach and scope available to us through the Army Corps of Engineers and the permit application, and we will pursue that avenue. But we are coming here today, thanking you for the opportunity, and presenting a proposal to you, a request. Our request is simple. One, we oppose dredging in Vermilion Bay and we do not want it and we want you in the Commission to do all in your power to see to it that dredging is not done in Vermilion Bay.

Two, we oppose dredging of shells from an area commonly known as Cheniere au Tigre, which is situated slightly to the west of Southwest Pass,



to an area which encompasses the eastern tip or South Point of Marsh Island. We oppose dredging within a three-mile limit from these specific areas, Cheniere au Tigre to South Point, Marsh Island. We want you gentlemen of the Commission to do all in your power to prevent dredging of these valuable natural resources and assets in this area.

As I said before, it is a question of where do your values lie. Is it more important to save and preserve this resource? It is important and I think you gentlemen have a responsibility and you are keenly aware of that because of your position. We feel this area is important, is just as deserving of protection as our hardwood bottom forests, our piney woods in North Louisiana, our wild life habitat up there. We all know about the soybean clearing problems, and a lot of times there is nothing we can do about it, but we work hard to try and save these areas. We are asking the Commission to do the same thing, work hard to try and save something for us along the central coast of the Gulf Coast, those of us who have nothing else



except these reefs in this area.

Of course, we realize that you gentlemen do have a vested interest. There is a certain amount of revenue that is produced from these leases to the Commission, but of course, gentlemen, we have a vested interest, too, and we feel our vested interest outweighs yours, to be very frank and honest.

Gentlemen, if there are any obligations that we have mutually, we are here to, so to speak, call them in now. You know that we, the sportsmen, the environmentalists and concerned citizens in this state, have always supported the Commission when we feel the Commission is right, and of course we have always been quick to criticize the Commission when we feel they are wrong. You know how hard we lobbied and how much we worked and we carried the forefront and the burden to get the conservation fund saved for the conservation fund purposes. We worked and we fought and we did everything we could for that.

You know our position in the Placides oil case, and I am sure that some of the public



sentiment and arousal possibly may have had something to do with the rehearing and the reversal. You know how we have tried to assist the Commission when at all possible in our Central Flyway-Mississippi Flyway question and have worked with the Commission.

You know how we have supported the present Director and have felt that he has made a very, very good director, and you know how we have come to the support of the past directors during times of trouble. You know how we supported you recently in the legislature when you came to the sportsmen and asked for an increase in fees and licenses, and organized sportsmen to a man supported you in this issue and used all of the weight we could with our various legislators and our political stroke to help you and support you in this problem.

Now we feel we have a problem and in terms of political clout or whatever you may call it, what we are saying now is, if we have any favors, gentlemen, we want to call them in. That is how firmly we feel about this particular problem and this particular situation. Thank you.



THE CHAIRMAN: Mr. Bernard, just a second, please. Some of the Commission members I am sure will have some questions, but for the record in case I failed to state, Mr. Jerry Jones is in court today and couldn't be present. Mr. James Thompson is out of state and couldn't be present, but we do have a quorum and can take action. Mr. Berry.

MR. BERRY: Mr. Bernard, in your conversation a minute ago, you stated that we had a certain interest and you had a certain interest to protect. Well, rest assured this Commission to a man, as far as I know, is going to protect all of the interests of all the citizens of the state of Louisiana. It is not your interest and our interest; it is all of our interests.

MR. BERNARD: I firmly believe that.

MR. BERRY: We represent you and we represent everybody in this audience and everybody in this state. We do not represent any particular special interest groups or any particular people. I just wanted to make that point clear.

MR. BERNARD: I am very aware of that and I appreciate that and I subscribe to that philosophy.



I think that the views that we have presented are the views that are to the prevailing overall good and will do the most good for the most people. I am not presenting it to you as a special interest group and I appreciate your situation.

The other thing that I would ask, gentlemen, is this. I made a specific proposal to you. An alternative proposal that I would like to have would be this, that we would like from the Commission, so we will know where we stand and where the Commission stands, we would like some form of policy statement from you. We would like that policy statement to incorporate the areas in question, from Cheniere au Tigre to Point au Fer or what-have-you, and some form of policy statement from you, the members of the Commission, that we can rely on what your views and your feelings are as to what areas dredging is permissible and what areas you feel it is impermissible and would not allow it.

MR. BERRY: The only other comment I have is I don't know how you and Mayor Daigre and the other good citizens of Iberia Parish got over



here today without Virginia Hines being with you!

(Laughter)

MR. BERNARD: You are right! Any questions?

THE CHAIRMAN: Mr. Dupuy.

MR. DUPUY: Henry, I would first like to commend you on your most sincere and outstanding and quite thoroughly and properly and well prepared statement. I feel that you were speaking from the heart. I know that it was not all prepared. You didn't speak as though it was entirely a written speech. I felt that you were speaking in a manner that was not only emotional but well prepared in what you were saying.

Henry, our interests are the same as yours and we need to consider the views of not only the sportsmen's group but industry as well, particularly with regard to not breaking contracts which previously existed, and that may present a problem, legal problems involved.

I think if I judge properly from your comments you were proposing a limitation in certain areas but not a total exclusion of dredging in the



Vermilion and Cote Blanche Bay areas. Is this a correct analysis that you are suggesting a limitation only in certain areas but not in the whole?

MR. BERNARD: Yes, this is correct. I met with a group of sportsmen and citizens and we discussed this issue at a great deal of length and we did come out of the meeting with a rather unified position and a rather unified thought, and our unified thought is this, that we oppose dredging in Vermillion Bay per se. We also oppose dredging within a three-mile limit from a point due south, shall we say -- of course, I would have to check my map and run the lines -- but roughly from a point stretching from Cheniere au Tigre three miles out across in an easterly direction to the southeast corner of Marsh Island, or an area known as South Point.

This would encompass the areas known as Shell Keys, Mound Point, Southwest Pass, Diamond Reef and Cheniere L'Qua (phonetic spelling) and Cheniere Au Tigre. Let me say this. We realize that the state does have a lease and it is a valid existing lease and, of course, the state is bound



by its contracts and obligations. There is no doubt about that. But there is a proviso in that lease, Paragraph 19, which gives the Commission certain authority.

Dr. St. Amant assured the members of the Governor's Atchafalaya Basin Commission at the recent hearing last month or this month that it was his impression and interpretation that the Commission did have the authority to suspend or eliminate dredging in a particular area under certain conditions, those conditions being if it caused potential danger and erosion to the land mass per se of Marsh Island, if it affected an area where there was a permit application for any live oyster reefs or if the operation proved detrimental to the water bottoms or marine resources or fisheries resources of the state. So, this is the position that we take.

The second thing is, I appreciate your review of my remarks and I assure you that this is the case. I did not come with a prepared speech. I do have a large quantity of notes but those notes are that there are a number of points which I



wanted to cover with the Commission and bring forth and I wanted to make sure that I did not overlook any particular point.

THE CHAIRMAN: Now, Mr. Bernard, I have a question. I am aware of Paragraph 19 but I have been out of the United States and I am not as up-to-date on this as I should be. I would like to ask, according to the conditions outlined in Paragraph 19, has there been any work done on proving that they exist at this time, by your group or any other group.

MR. BERNARD: We feel that it is prima facie that they exist.

THE CHAIRMAN: I see.

MR. BERNARD: We feel that these reefs are a valuable natural asset to the fisheries resource and to remove them will eliminate them, and as I said before, there is nothing but mud left. There is no sand, no breeding grounds; there is no habitat.

THE CHAIRMAN: Being a fisherman, I agree with you on the breeding habitat, the reef, but then I don't know what work has been done to prove



that this condition does exist and therefore we have the power to suspend --

MR. BERNARD: Unfortunately, the expertise on this would come from your own staff people.

THE CHAIRMAN: Correct, correct.

MR. BERNARD: And, of course, as I say, we have been anticipating a study since 1970, which has never materialized.

MR. WILLE: Henry, I would just like to say I certainly enjoyed your presentation this morning and you certainly have impressed me and the people here have impressed me. I want you to realize that the leases that were let in this area were not let by this present Commission.

MR. BERNARD: We all realize that, sir.

MR. WILLE: We also would have to have, and I am not trying to put anything off again, some pretty good justification from our own biologists, No. 1. No. 2, we would have to have our legal staff examine the leases very carefully because of the legal ramifications that might arise by us restricting the leases.

I think that as far as restraining the



situation immediately, we could temporarily do that until such time as it could be looked into, but I am not sure. I feel it is not beyond the realm of possibility right at this time and I personally am very sympathetic with your case.

MR. BERNARD: Thank you, Mr. Commissioner. Let me say this. Of course, one of the comments which you have all made is this, that you must represent all interests of the State, and I personally realize this to a great extent. I think maybe sometimes more than some other people because I realize that in certain times and certain areas there are some hard questions. For example, gill netting and trammel netting becomes a difficult question because you gentlemen do not represent just the sportsmen. You represent the commercial fishing and commercial fisheries interests, and you have to balance the equities. Of course, we realize this.

Let me say this, the other thing is I personally realize, the unfortunate thing about this is 15 years ago people were not concerned with our great natural resources as they are today.



They were not concerned with indiscriminate dredging. They were not concerned with running a fifty-foot channel through Wisner Wildlife Refuge nor destroying Pass a Loutre or any of these other things. So, we have to live with some of these things that were inherited by us, but we have to do the best we can with them, too.

Of course, it is a sad day that a fifteen-year lease with an option to renew for ten years or twenty-five years we are tied down to. We understand your position. We understand that it is not your Commission or your lease, but what we are coming here for is requesting that these operations be suspended until such time as this factual information can be generated to you.

The other thing which we would like to have is, after this factual information is generated to you, we feel that there are some independent individuals, especially people who have used this resource their lives, who have no necessarily book expertise, but they have the expertise of having watched the environment for twenty years, resided in it, and used the areas continually. We



would like the opportunity to have a hearing, the Commission call a hearing, in our area, preferably New Iberia. It is the focal point of this area. At that time input can be made by these people into this study and our local area residents can give you this input, and then you can come to a factual determination. Your factual determination may be adverse to us, but we want the opportunity.

MR. WILLE: Let me say one other thing, Henry, that since we have honored the leases that are now in existence but the Commission has changed its policy on the leasing for minerals, and Dr. St. Amant could probably fill you in on that. We do not have any real long-term leases now that we are letting --

MR. BERNARD: Right.

MR. WILLE: -- because of this situation.

MR. BERNARD: Right, but the problem is we have a couple of areas in point, one, primarily Mound Point, the fact that it won't be dredged ten years from now just won't help us at all if it is dredged now. It's gone.

MR. WILLE: I understand that. I under-



stand that, but I am just saying that right now our policy has been changed on this leasing, so that we don't hang another Commission five years from now. We have changed it all to one-year leases maximum.

MR. BERNARD: I think that has been a wise policy on the part of the Commission.

MR. WILLE: Well, I am just saying that in defense of the present Commission because we don't want to harness somebody else five years from now, ten years from now, with a burden that we might have committed.

MR. BERNARD: It gives the opportunity to put that input into a decision that I am discussing.

MR. WILLE: Right.

MR. BERNARD: But this is what we have asked for you gentlemen, is, one, the suspension in these areas; hopefully eventually after you have gathered what factual information you feel necessary to make that determination, a total ban in these particular areas. But in the alternative we would like to have a decision from the Commission as to what your present policy will be so we



know, and then in making your findings, we would like the opportunity of a hearing in our community to put input into your findings.

As you know, for the 25 people who came here today, there are 250 back home who wish they could be here but because of family and business obligations cannot, and these people would have the opportunity to give you their views.

Thank you, gentlemen.

THE CHAIRMAN: Mr. Lapeyre, do you have a question?

MR. LAPEYRE: Just that I was wondering what the state of the dredging activity is today. I mean in the areas that you are concerned with. How long has it been going on and to what extent?

MR. BERNARD: There has been at this stage no actual dredging in the particular area which we are talking about. The problem has arisen and comes to light in this manner. As I stated before, in approximately 1970, some survey work was done on an area which is of extreme importance and concern to the people in our community, called Mound Point. It is an area immediately south of



the southeast corner of Marsh Island. It is a very huge and expansive reef and provides a great deal of habitat and sport fishery use.

When these surveys started to be made in 1970, we became fearful at this time that dredging was imminent. Otherwise, why the surveys? Of course, it was related to us at that time that it would be 18 months to two years before the surveys were completed and dredging would be done and what-have-you. So, really nothing went on after the initial apprehension of 1970 and the initial opposition to any dredging.

Since then there has been within the last six weeks a permit application filed with the Army Corps of Engineers by Olin Corporation for a permit to dredge in these particular areas. Of course, we realize that these permit applications are renewable every three years, and there was one in existence before, but we feel that because of the environment attitude, the attitude of our public officials and the attitude and concern of the citizens in the area, that the time was right to present our opposition to the Army Corps of Engineers.



Incidental to that, we felt the time was right to bring this problem to the attention of the Commission in order that you, the members of the Commission, feel about it, and what we want.

So, there has not actually been the boat there, but of course it is the old story of once the gate is open and the horse is out and he is struck on the highway, it is too late, so this is why we are here now, not that they are actually there but that we have great apprehensions that their arrival shall be soon coming.

THE CHAIRMAN: Mr. Bernard, I noted that you stated you would like to have a policy statement from the Board, stating exactly what we would do or intend to do. I am sure, you being an attorney, you realize that we would have to have more information from our biologists and more information from our legal staff before we could give you this. I assure you that we always take into serious consideration any criticism that affects wildlife in any way. That is our business. I just wanted to make the point that we couldn't give you that today.



MR. BERNARD: Right. Let me make this point to you gentlemen. I think we have a great deal of rapport together, and this is not criticism directed to the Commission and I have throughout my endeavors in this program tried to explain the differential to the people between the Corps of Engineers and their sphere of responsibility and authority and the Commission.

We come to you, as I have stated before, with what we feel are past close working partners. You came so, so far in the last four or five years. None of needs to remember back to that period of time, in the era which we went through then, the bad feelings and the animosities, but throughout the state now you have a tremendous reputation. You are well thought of among the sport fishing community and the environmental community, and I feel we have a good working relationship and we want to keep that good working relationship.

THE CHAIRMAN: Thank you. Now, if there are no other questions by members of the Commission, I would like to call on -- Mr. Bernard, come back, please, sir. I would like for the man who takes



all these licks to have an opportunity to ask a question. Do you have one? O. K.

DIRECTOR ANGELLE: The licks are not that great. We appreciate your coming over, Henry, and bringing your group with you.

I have probably about three questions. One of them was partially answered a minute ago, which was directed by the Chairman, as we discussed the policy statement of the Commission. I ask you this question so in delving with this I can put it in a way that the purpose of it is a policy when you further approach the Corps of Engineers as to what our standing is. Is that the purpose of it?

MR. BERNARD: Well, quite frankly, gentlemen, we need to know what areas we agree on and what areas we disagree on. We may not necessarily agree in whole.

DIRECTOR ANGELLE: O. K.

MR. BERNARD: We want to know what areas we need to concentrate our defenses on and what areas that we have mutually agreed on and what areas there are for compromise.

DIRECTOR ANGELLE: O. K. No. 2, in one



of your issues you mentioned that you took some time out to answer some of the criticism that was leveled at your organization, and I think I know the answer, but for the benefit of the press, it was not instituted by the Commission.

MR. BERNARD: The adverse party, not the Commission nor any member.

DIRECTOR ANGELLE: It was not criticism by the Commission.

MR. BERNARD: Absolutely not, Mr. Angelle.

DIRECTOR ANGELLE: And No. 3, we talked about a survey started back in 1970, and I believe you mentioned that this was by GSRI or LSU Sea Grant Program --

MR. BERNARD: There is a present survey going on, it is my understanding, by GSRI. I am not certain of the funding of this program, whether the funding comes from the Commission or whether the funding comes from the applicant, but there is reference now to a survey being made and a study being made by GSRI. Initially in 1970 it was our understanding that a survey would be made.

I may be wrong on this, Mr. Commissioner,



and if I am, I want to make this point absolutely clear that I am not making this as a statement that this is correct. All I am saying is that it is my understanding, but it is my understanding that the applicant, the proposed parties who are going to do the work, would help fund a survey or study and that would be made available to the Commission in 1970.

This was part of my understanding of what was going to be done. This may be correct, but I do know in 1970 that it was definitely related that some survey of the environmental considerations would be made before this operation took place.

DIRECTOR ANGELLE: Well, I bring this out, Henry, for the purpose of trying to get one of these reports, these evaluation reports, so the Commission will have a chance to look at it and further evaluate it.

MR. BERNARD: The survey that I refer to was we were informed by Olin Corporation, one of the permit applicants, at the Atchafalaya Basin Commission meeting, that GSRI was in the process of making such a survey and it would be available by the first of the year. We requested at that



time that they withdraw their permit from the Corps of Engineers until this material was available.

MR. BERRY: I believe that Dr. St. Amant could shed some light on this.

MR. BERNARD: Yes, I believe you know, Lyle.

THE CHAIRMAN: Just a second. I would like to find out, if you are through, if the good Mayor would have a statement to make. Would you like to make a statement? I would be glad to have you.

MAYOR ALLEN DAIGRE: Members of the Commission, I am Mayor Allen Daigre, Mayor of the City of New Iberia, and Mr. Bernard has pretty well covered all of our points for us that were to be made, so I won't burden you with much more of your time, but I just wanted to say that we reiterate what he has said and that, of course, he is right, that there are not just a few people who are making noise and talking about this project, because as an elected official from New Iberia, I wouldn't be up here opposing it if that wasn't the feeling of my people at home.



Of course, we sent you -- I think you have copies of the resolutions that we sent to the Corps of Engineers. We sent copies to you. So we just wanted to let you know we feel the same way.

Thank you very much for having us here today.

THE CHAIRMAN: Thank you. Dr. St. Amant.

DR. ST. AMANT: Mr. Chairman and Members of the Commission, ladies and gentlemen, the presentation by Mr. Bernard covers everything quite well. I think, however, that by looking at this thing historically and trying to define the differences between what we do and what the Corps of Engineers does may help clarify this in the minds of the people.

I would like to state categorically from the very beginning that these areas have never been in danger, not really. We have always had control over it and we still have control over it. The thing about it is that nobody seems to believe that we have control over it, and I don't know how we are going to convince anybody. It is in the lease and I think the actions of the Commission over the



years indicate this.

The first job I had in 1950 on this thing, when I went into this seafood thing, was to go down and check a dredge in Atchafalaya Bay which was dredging on live oysters, and we turned it right around at that time and got it out of there.

There has never been any question that where the Commission determines that a part of the water bottom is being hurt and it is detrimental to the wildlife interests of the state or the fisheries interests, we can stop it. Now it is possible for a dredge, I guess, to sneak in there when we are not looking but he can't go very far. He goes about 50 yards a day and somebody is going to catch him before he gets too far, and we can turn him around.

Moreover, he is in violation of his lease if he does that, because he is supposed to notify us before he moves that dredge or moves any barges. Every time he moves he is supposed to tell us where he is going and furnish us with a map. If he fails to do this, we can pick the whole lease up.

So, I don't think you have been in the



danger you think you have, but let me tell you where you stand and where we stand, and maybe we can come up with something.

First, the leases or the basic leases have been in existence since 1918 or thereabouts. They have essentially not changed. They have been traded from company to company, but the State of Louisiana has been contracting with shell dredging people since as early as 1913, and in this particular area, this whole area has been leased since about 1918.

By and large, with the exception of some early dredging on the Point au Fer area and Rabbit Island and some of the exposed areas, there has been not any dredging on the outside, to speak of, because the weather conditions keep dredges from operating out there. I wouldn't say they wouldn't have dredged out there. They just didn't go out there and dredge. Most of the dredging has been in the bays. The bulk of the dredging has taken place in areas where there is at least five, six or eight feet of mud over the shell. Where the old Point au Fer reef had been cut, it was cut back



twenty-five or thirty years ago.

Now let's look at the present lease. The present lease is good until 1985. The Wild Life and Fisheries will not act on it until that time, with the exception of options if they do come up and they are part of the lease. The options on it have to do with royalty and so forth. Now the lease under Section 19 gives the Commission specific right to suspend the removal of oyster shell and/or other shell deposits from the above-described beds or water bottoms by purchaser in the event that dredging operations by purchaser shall in any manner damage the oyster beds or bottoms owned by the state and by it leased to any individual, firm or corporation or any person or persons for the propagation and/or cultivation of oysters, and where said dredging operations damage or prove harmful to fish, aquatic or other wildlife resources in said beds or water bottoms, the suspensions aforesaid shall remain effective and in full force and effect for the duration of the period of time, and so forth.

So, I don't think there is any question



that legally we can control what goes on out there, and we have always attempted to control it and we always have controlled it where we found any evidence that there was some serious damage occurring.

Now let's see if we can look at some other things. What is this bit about the Corps of Engineers and why are they getting involved in it? Regardless of whether these people have a lease from us or not, they cannot dredge in the water bottoms of the state of Louisiana or anywhere else that are considered navigable unless they have a permit from the Corps of Engineers. These Corps permits are renewable every three years. Originally the Corps permits only dealt with navigation problems. In recent years, since 1969, when the Environmental Protection Act was passed, and with one case that took place in Florida, Abel vs. Tabb, it has been incumbent on the Corps not only to examine their permits from the standpoint of navigation but also from the standpoint of environmental problems.

Now the Corps, in issuing a permit for dredging in any of these areas, will look at it



from both angles. Generally speaking, in Louisiana the Corps has worked closely with us. If we okay something environmentally or ecologically, the Corps generally will go along with it. If we veto something environmentally, then they will veto the permit. So it is simple. A lot of things could be done. In other words, if we wrote a letter or told the Corps that we thought certain areas were not desirable to be dredged for any purpose, we can get a portion of the permit rescinded or knocked out, so there is still a controlling point through the Corps.

The question of renewal of these Corps permits every three years is what lead to the studies that have been referred to here. It became apparent that the Corps permits, since they were being renewed periodically and since all of these lease areas are under different companies and the different companies apply to the Corps at different times, this is why we get into these things so frequently. Olin is applying now. Maybe next year Lake Charles Dredging and Towing Corps permit will run out and they will have to go and apply. We



will be back here doing the same thing, because the paper will pick up the thing or you will pick a Corps notice saying Lake Charles Dredging. Radcliff may have to apply for theirs the following year.

Now when they make these Corps applications, what they do is essentially describe the area they want to work in because that is the way they go about it. They draw a map and show where they want to work, and it usually coincides with the broad map that we have. What they do in there, however, depends on what we let them do and not what the Corps does. Now this doesn't rule out the fact that the Corps could deny a permit or it could restrict this permit, but we have nothing to do with that. If you or anyone wants to protest the Corps permit, they should address themselves to the Corps, request a hearing, and make themselves known.

Now about these studies, in 1970 when Lake Charles Dredging and Towing set up a survey program on Mound Point, this same argument came up. We made it quite clear to Lake Charles Dredging and



Towing at that time that they were not going on Mound Point without a clear understanding and public acceptance of it, and the fact that whatever they did out there would not be detrimental to the state or the fishing interests of the state.

Lake Charles Dredging and Towing came back with a plan or they proposed that they would produce a plan. The plan was going to be certain types of cuts through Mound Point. Their contention was that if they cut these passages through there it would not totally harm the fishing and that they would have access to navigation through the area.

There were some questions raised at that time as to what dredging out there would do to the integrity of Marsh Island, and this was basically a geological thing, not a biological or an ecological thing. This particular study has never been completed nor has Lake Charles Dredging and Towing or Olin or any of them gone on Mound Point nor will they get on Mound Point, if ever, without the proper plan or without the proper study being made.

Now the study was supposed to have been



made by the Wetlands Institute at LSU and Mr. Woody Gagliano was supposed to have done it. I don't know why it was not completed. It has not been completed as far as I know and it has not been turned in to us, and without such a complete geological report, you can be assured that the Wild Life and Fisheries Commission is not going to jeopardize Marsh Island under any circumstances. Any dredging in or near Marsh Island that would question the integrity of the island and also the fact that it might erode away is under our absolute control from two angles, not only from these leases but from our deed of donation of Marsh Island.

Now, the other studies are something quite different. The Wild Life and Fisheries Commission has spent something on the order of a quarter of a million dollars studying the effects of dredging on aquatic life. The bulk of this work has been done in Lake Pontchartrain, for the same reason that you want it done out yonder, because people raise questions. We have published this stuff. It is available and anybody that wants to read it can read it.



Now we have found that basically dredging does not affect aquatic life from turbidity and from the dredging or stirring up the bottom. There is a question and a very good one, and I think we agree that if you dredge up any hard reef that is exposed and where fishing is taking place, you do change the configuration of that and you can change fishing success on that area. Now there is a big difference between fishing success and fishing populations and fishing density.

I know what you are interested in. You are interested in fishing success, and I am, too. You don't care if there is a billion pounds of fish out there if you can't catch them, but if you have got a hot spot that fish bite and it is convenient and it is reliable, you want it, and I want the same thing, and I think you will find the Commission is going to want the same thing, for you to have that. I don't think that you are going to find any sweet spots where fish are being caught jeopardized.

Now what did happen was that when these same Corps permits were requested for operations in



Lake Pontchartrain, we got the same response. People questioned the environmental problems involved and wanted an environmental impact statement. We had already done a quarter of a million dollars worth of work. There were still some gaps and holes in it, dealing with certain types of small benthic forms, not big fish, not the things you are interested in, but the base of the food chain.

We advised the shell companies at that time that in order to meet all the requirements of the environmental impact studies that they should do what they could to institute studies, and they have set up a separate independent study carried out by Gulf South Research in which they are studying both Lake Pontchartrain and some of the work that is being done in Vermilion Bay or Atchafalaya Bay out around Point au Fer and in the very area you are interested in.

This work I think will be completed some time this year. It was held up last year for one reason and one reason only. We had these tremendous floods and we did not feel that a study made



under such conditions would be reliable. If you made a study out there when there was solid fresh water, either in Atchafalaya Bay or in Lake Pontchartrain with the spillway open, we didn't think you would get a true picture of what was happening, if you had solid mud and fresh water, so we wanted the study to be made under normal conditions. That is why it is not ready now.

This information will be made available and I suppose in the near future that every time a Corps permit is requested, the information from these studies will be made available to the Corps and anybody else that is interested.

There is another safeguard that came into play about six or eight years ago. The Attorney General's office determined that dredging was going on out in this area and they were also very interested in protecting the integrity of the base line of the coast of Louisiana for the purposes of oil and our mineral rights out there. They wrote a letter to us and to the various dredging companies, asking that the Wild Life and Fisheries see that the dredge companies did nothing out there that



would endanger the coastline of the state, and since that time all of these companies have been put on notice in writing and they don't move anywhere in these areas where there is high shell out there or potential coastline without double checking not only with us but with the Attorney General's office, and the maps where they are going to dredge are approved before they go in.

So, I think that there again you have a pretty complete coverage over it.

Now, to get down to some specifics, I would like to look at this map and show you what has been protected, what is being protected, and what as far as I can tell is going to continue to be protected until such time as either studies indicate otherwise or the public understands and agrees that dredging will not hurt it.

The area in yellow in front of Marsh Island, and this area basically will be extended in any distance where there is exposed shell, is protected for two reasons. One, it protects the front of Marsh Island. We are not about to dredge in there and cause any erosion problems in that



island. Moreover, it has live oysters on it and almost the entire area is under application by oyster people to harvest oysters from it.

Outside of this area we also have some existing oyster leases. Those that are circled, and even one over here on Shell Keys, are not about to be dredged. Now even if there is not a lease there, the fact that there leases indicate that there are live oysters, and where there are live oysters, there is no dredging. So, basically, you have at least a mile and probably most of the three mile area in front of this island under present protection. All of Mound Point has been under protection, and Shell Keys, which is beyond the three-mile limit is not in a lease, is under federal jurisdiction.

This area over here that is colored on the face of Point au Fer is under control and has been stamped and approved by the Attorney General's office and it is being retained for the integrity of the state's boundary, and any other significant exposed shell across this thing, but this is where the major shell stops at this point.



The question that was raised in some of the original things involved a section in here and here (indicating). Now this Salle Shoals is small, it is exposed, and if it is exposed shell, we can mark it off. There is no problem here.

This is Salle Shoal. It is not very big. It would not involve any question in the total dredging thing and it is marked off.

This is an existing oyster lease, right here, that is not going to be dredged. This area across here is an old area of high shell, and I don't know how much of it is exposed now. At one time it was fairly well exposed and it was leased for oyster fishing. We removed it from leases to make it a seed oyster ground, and the reason we did it was because we wanted it open to the public. If this area has live oysters on it and if the shells or any portion of it is exposed, there is not going to be any significant dredging on it.

Those are the areas that are now under protection and as far as I am concerned, they are going to stay under protection unless something comes along to convince us otherwise that there is



some way that we can dredge these without hurting the interest we have in there.

All of these other areas, if there is shell in there, are under six or eight or ten feet of mud. Dredging has been going on in there since, oh, the 1920's. We take about five million cubic yards of shell out of this general area annually. The production has been fairly consistent over the last eight or ten years. There is no reason to believe that these shell won't continue to produce for some time. However, they will eventually be depleted, and this is the reason that the shell companies were looking toward some of these outlying areas.

At the present time there is no indication that they will get into this immediately or if ever. Now the question comes up as to whether or not this can be removed from the lease for the purpose of convincing everybody that it is a permanent thing. This would have to be done by request or agreement by the shell companies themselves, because as far as I understand legally the contract as it stands now is binding and the areas



are leased to 1985 all the way out to the three-mile line. The only thing that would prevent those people from operating in these areas would be two things; one would be our exercise of our rights under the lease to protect these areas for fishing purposes, which we have done and will continue to do, and the other would be if the Corps of Engineers either gave them a modified permit or in some way denied their permit.

Now the thing that makes it a little I guess difficult for Olin to accede to what was requested of them at the Atchafalaya Basin Commission meeting and others is the fact that Olin only owns these three little areas (indicating on map) and, of course, the three areas that they have had under lease, this one is predominantly the one you are interested in and there is no dredging in it at the present time, but when they asked for permit to dredge in here, they were trying to exercise their right to get a companion engineering permit to cover their existing state permit. If we don't let them dredge in there, it wouldn't do them any good to have an engineering permit.



This section in here belongs to Olin and it covers this hard reef area, dry reef area, in here, the bulk of it. Now I am certain that there is some of this area that is under mud and could be dredged. There is probably some area in here that probably should not be dredged.

This is Southwest Pass and everybody knows what is in there. It is solid shell. Most of it is so shallow that it is hard to get any ship through the Pass. They have this. There has nothing been done in there and as far as I know no proposals to do anything at the present time.

I think that is all.

THE CHAIRMAN: Thank you, Doc.

DR. ST. AMANT: I believe that pretty well brings this thing up to date. I think the major areas that you are concerned about have been protected. They are protected by clauses in the lease, whether we want to act on them or not. If there are live oysters, I can tell you, if you haven't seen a mad oysterman lately, you ought to try one for size. If we ever let them get to dredging in an oyster lease or reef, we hear about



it immediately, and you seem to do a pretty good job when somebody gets on your fishing reefs.

There is no question if there is a public problem, the public lets us know and under the lease we are able to control it, or have been up until this time. As far as I know, we will be able to continue to control it.

I can't assure you any more than that, unless the Commission wants to give you some greater assurance of action and, of course, that is something else. But, before anything like that comes about, I would like to open this discussion with me to any questions, either from the Commission or anybody on the floor that might have a specific question, and then I would like to let the shell people have a say.

THE CHAIRMAN: That is correct, Doc. Let me make a statement first. The lady and the gentleman, first I want you to be recognized by the Chair and then second I want you to come to the mike so we can get your name and who you are representing and your statement. I will say this, that we have heard two sides of this question, and I want to



assure Mr. Lennox and Mr. Cletus Cribbs, who are here today, and they represent the shell people, that if you want to make a statement, you will be given an opportunity to do so.

Now, your name?

MRS. ANDREW ROMERO: I am Mrs. Andrew Romero and I am from New Iberia. I am interested, of course, in fishing, because I have been fishing for fifty years. I am not a youngster and I have very few years left to fish, but my other interest is in ecology and what is happening to Marsh Island.

Now my husband and I have been going to Marsh Island, as I said, for something like fifty years. On the eastern end of Marsh Island, there are only two outlets to the Gulf. One is Bayou Blanc and one is Oyster Bayou. Now when we come out of Bayou Blanc, of course we travel on compasses, too, but we have always used certain landmarks to guide us to come back in. Since the dredging of Rabbit Island reef, where we fished many, many years, it was a fisherman's paradise -- well, it is gone. They have taken away the Rabbit Island reef.

And South Point, which was one of the



guiding lines which we came in on sometimes, is gone also, to the extent of nearly a mile and a half. It has eroded from the wave wash because those reefs that protected it are gone.

Also, there was a camp on the end of Oyster Bayou and still is, which was on the mainland. Believe it or not, now it is on an island all to itself. The water is all around it, and this was caused by the wave wash after they took away Rabbit Island reef. It had never eroded one inch in all the years we have been there, but now it is eroding.

So, this proves what will happen if they take away the front reefs or any of the reefs that protect Marsh Island; whether they are living oyster reefs or dead ones, they still protect the Island. That was the only point that I wanted to add to what Mr. Bernard had so ably put, because I have seen this. This is not a study. This is just what I saw with my own eyes.

Thank you, Mr. Chairman.

THE CHAIRMAN: Thank you, Mrs. Romero.

Another gentleman indicated he wanted to speak. Do



you want to ask a question of Dr. St. Amant or make a statement?

MR. BERNARD BOSSIER: One question only.

THE CHAIRMAN: Will you come to the mike, please? Come to the mike, please, sir.

MR. BOSSIER: I am a fisherman and I have been in the area since 1936. I live in New Iberia at present. I at this time would like to ask Dr. St. Amant the difference between a live oyster reef and a dead one, please.

DR. ST. AMANT: Well, generally a live oyster reef is one that has oysters on it that are edible and living. A dead oyster reef is one which for some reason or other the oysters have died on it but you do still maintain the shell. Now the reason that these shell mounds and all the shell that occurs in and around Atchafalaya Bay and these areas that were built up over the millenia was during periods of dry weather or when the water was not coming through the Atchafalaya system, that area salted up, and then the oysters would begin to grow on the old dead shells. After a time you would get a flood in there, like we had last year,



and it kills everything and the oysters then die. The next time you get salt water they will begin to grow again. This is what causes these reefs to build up.

Now, over long periods of time, if you get fresh water coming down the system, you are going to build up what people claim is going to happen here in the next eight or ten years. You are going to build up a deltaic situation whereby you may put eight or ten feet of mud over your oyster reefs. If this happens, then they won't come back through that mud. They will stay underneath, and then if it gets salty again someday, you will get a new crop on top.

Generally what is happening is that these oysters are layered out between mud layers and they tend to slope off under the bank.

Now when we are talking about a live oyster reef with respect to oysters, what we mean is that if there are any live oysters on it, the oyster people want to protect it and we have protected it. A dead oyster reef can be excellent for fishing and this, whether you have oysters on



it or not, can still be protected under Section 19, which says that we can protect the fishing rights of people.

Now this is what we have been doing and as far as I know with a certain degree of success.

MR. BOSSIER: I thank you, sir, and I would also like to add a comment which possibly was overlooked. You are talking about the siltation problem. We have it, we have it, and it is a great problem of ours. We could possibly get some alleviation from the federal government through the Corps of Engineers with the jettying out of these areas. We are talking about any outlet that carries fresh water into the Gulf. If they put the jetties out there and run them out like they have done in other areas, we will get quite a bit of alleviation from this problem.

There again, talking about the siltation, it has moved in. It has taken time to cover these reefs, and when you cover your reefs with the silt, you destroy the life of the oyster. Therefore, it becomes dormant. It will remain in that stage and gives us protection. However, if the jettying is



done, then the natural flow of the water will wash these silts off of these reefs, then you have a base, an active base, for live oyster production throughout our coastal areas.

Also, I would like to make one comment, and that is concerning the inside waters. Our protection from the Gulf has been eradicated by the dredging situation in the Rabbit Island area. It is going on right now and it is quite active. I would like to make this statement also, that if they cease the dredging operation in that area or check into it, you will bear us out, that we had some protection for any fisherman in that area that went fishing in any inside waters. You could take the area from Cote Blanche, East Cote Blanche Bay, go through West Cote Blanche Bay, any inside water, and if you knew that area, you were familiar with it, you planned your fishing trip, you carried gasoline from the point of departure to your hoping to get back in that area. If you had a problem with weather conditions or anything else, you had an area in which to return. All you had to do was know where you were going and have the fuel to get



you there. It was not a question of whether or not you were going to return, as long as you had the protection in that area. In other words, you remained in inside waters.

But, gentlemen, when you do have outside waters to fight with, you are going to really have a problem, and what the situation is now, it is eroding in the Marsh Island area. When you have that, it is going to turn around and take Marsh Island from the inside and take it out. You won't have it.

THE CHAIRMAN: Thank you, sir. I feel I don't want to restrict anyone in their comments, but we have an extremely long agenda, and we have spent an hour and a half on this one subject. I think we have covered it thoroughly. Doc, if you have an answer, we would like to have that, and I still want to call on Mr. Cribbs and Mr. Lennox.

DR. ST. AMANT: Well, I am sure there have been some areas in the state, not only here but other places over the years, which probably were dredged and should not have been dredged and that probably did cause some problems. But, under the



present operation of the thing, I think we have it under control.

I did suggest to the people down there and I reiterate it. We furnished you with a map. If you have areas that you know, we will either protect the area if it is particularly good for fishing and also designate them on the map. It gives us a better feel for what we need to do to protect it.

I can assure you and everybody else that is concerned with this Commission will assure you that we are not about to allow or to do anything that we know about that will cause Marsh Island to erode away, because this is one of our pet projects.

Now there was a mention made here of Cheniere au Tigre and up further to the west. Now the permits under consideration here today do not get that far to the west. But I would suggest here again that if you have a particular reef or something over there that is exposed that you feel is in the public interest, before you leave I would like for you to mark it on this map so that we will have a feel for it and we can exercise our control



over that area just as well, but if we have a blank map and we have to go out there and do all of these things --

Now there was one thing brought up here and I don't want to get really involved in it too much because I think it is a hydrological problem. The question has been raised as to putting jetties out across Atchafalaya Bay and dumping this water out into the Gulf and what it is going to do. Well, it is going to build a new delta out there is what is going to happen. I don't know whether it will do it in our time or your time, but it is going to build one, and most of the delta, apparently from the sweep of the currents, is going to be to the west. Probably what you are going to do is build on the front of Marsh Island. The very areas you are interested in will be covered up.

Now this is a satellite photograph that was taken last year in this flood, and you can see from the light areas where that mud is going. Now a good bit of this stuff at the present time is dropping out in Atchafalaya Bay and in East and West Cote Blanche Bay, coming out through the



Atchafalaya River and Wax Lake outlets, and that is why you are getting the turbidity and the fresh water and the silting in that inside, but if you move the water to the outside, you are going to then dump the major mud load further offshore and it is going to deposit there rather than inside. Now you are going to protect the waters on the inside at some expense on the outside.

This is a hydrological thing that needs careful study. Moreover, it is going to take considerable evaluation from the ecological standpoint to see whether you are going to gain or lose. When you get into one of these big deals like this, what generally happens is that your long-term gain is obvious -- twenty, thirty, forty, fifty years -- because that is the way this whole coast builds up. Your short-term gain may not be so good for you and me because something is going to happen to your pet spots while this is going on that is going to make you real mad about it. But if you look at the total thing, you may get a gain out of that type of thing.

I agree that this has gone on a very



long time and I hope I have covered enough to make you feel that we are handling this thing in a manner that is consistent with the best interests of everybody.

Now I believe it would only be fair to hear from the dredging people.

THE CHAIRMAN: Correct. I recognize Mr. Lennox. Do you want to speak, Mr. Lennox?

MR. EDWARD LENNOX: Mr. Chairman and Members of the Commission, I am Edward Lennox. I represent Southern Industries Corporation and its operating subsidiary, Radcliff Materials, Inc.

There seems to be only one bit of information that would place the matter in its proper perspective, not only for the members of the Commission but for the Commission's guests here as well. About two weeks ago Mr. Angelle telephoned me and asked me to come to this building and meet with him in his office and for the first time he acquainted me with the impending problem between the sports fishermen interests in the Iberia Parish area and the dredging interests. He asked if I would not attempt to get all the dredging interests



together in one place at one time and see if they would not voluntarily agree to some ultimate solution to the problem short of a controversy such as apparently exists here today.

The very same afternoon such a meeting was arranged I think on the very following day. These three parties did get together on at least one if not two or three occasions and they were prepared as early as midweek last week to come to the Director at his invitation and make to him a presentation for voluntary restriction of their leases which they think might well alleviate the problem for the foreseeable future.

Now the only reason that those meetings were not held last week in time for this particular public meeting was illness of the parties involved. I think Mr. Angelle's wife was ill on Friday last, Dr. St. Amant's wife was operated on earlier this week.

Now to make the record abundantly clear, we think the dredging interests of this state, not only in the Atchafalaya Basin but in Lake Pontchartrain and elsewhere, feel that the records of



this Commission make it abundantly clear that the shell dredging interests in this state have been understanding of environmental problems, have been understanding of the problems of the sport and commercial fishermen. We have made voluntary restrictions to various leases from time to time when these matters were brought to our attention, and I am sure that we will continue to do so when such requests are reasonable.

Again I say to you that the records of this Commission should show that you are dealing with reasonable people and all three of these parties, Radcliff, Olin and Lake Charles Dredging and Towing, are available to meet with the Director and his other staff members and make their presentation and proposal to him, hopefully to resolve the matter on a permanent basis.

THE CHAIRMAN: Thank you, Mr. Lennox. Mr. Cribbs, do you have a statement? No? Thank you. I hope I haven't restricted anyone, but we do have a long agenda. Mr. Lennox?

MR. LENNOX: Mr. Chairman, some of those present have travel arrangements that involve



flights that leave within an hour or so, and we would like to solicit from you, if possible, an understanding that when this discussion ends as an agenda item that it not be pursued further in this meeting without us being formally notified.

THE CHAIRMAN: That is correct, and I would like to state to these people that we will take this under advisement and I can assure you, I believe, from what Dr. St. Amant has said, that there will be no dredging until such time as the Commission can have a formal meeting with its legal staff and with its biologists and determine whether or not there is damage to be done.

We will take it under advisement and study it very thoroughly and I think we can assure you, as Dr. St. Amant has told you, that there will be no damage done to your fishing areas if it is humanly possible.

Yes, Mr. Wille.

MR. WILLE: I would like to add just one more thing to that, that there will not be a decision made on behalf of this Commission, and I am speaking for myself and I think I am speaking for



most of the Commission members, that will adversely affect or affect at all the people from this area, that everybody will get a chance to voice their opinion. It will be very heavily considered and that I don't think that any decision that will be made will affect anyone living in that area. That is good enough, I think. I am not speaking for the whole Commission; I am speaking for myself, and I think some of the other Commission members who feel the same way.

THE CHAIRMAN: Thank you, Mr. Wille.

Now, Mr. Yancey, are you ready?

MR. RICHARD YANCEY: Mr. Chairman and Members of the Commission, the U. S. Fish and Wildlife Service has made an announcement in the Federal Register that they plan to ban the use of lead shot in the hunting of migratory waterfowl in the Atlantic and Mississippi Flyways in 1976 and 1977 --

THE CHAIRMAN: Mr. Yancey, just a minute. I am sorry I perhaps was rude. I did not ask if there was anyone else in the area who wanted to have something to say on this business.



MAYOR DAIGRE: Maybe if you are finished, we can be excused.

THE CHAIRMAN: Yes, we have finished and you may be excused. I appreciate your coming up and presenting this.

Henry Bernard, I did not mean to cut you off. Do you have something you want to wind it up with?

MR. BERNARD: No, Mr. Chairman, the only thing I would like to say is, Mr. Chairman, Mr. Director, and Members of the Commission, thank you so much for your consideration and your attention, and I am sure we will be back in touch with you.

MR. BERRY: Thank you for your presentation.

THE CHAIRMAN: Thank you, sir. Now we will continue with the regular agenda. I am sorry, Richard. Mr. Yancey.

MR. YANCEY: O. K. The U. S. Fish and Wildlife Service has made an announcement in the Federal Register that they propose to ban the use of lead shot in the hunting of migratory waterfowl in the two eastern flyways in 1976 and '77 and in



portions of the two western flyways, to begin I believe in '78, and they are asking that each state comment on what their thoughts are about this proposed change in the use of various types of shot for the hunting of waterfowl. They have asked that we respond by November 15, and we have had several meetings with the biologists in the Commission and with Mr. Stanek, the Wildlife Federation Director and Secretary, and we have formed a proposed statement here that we would propose be forwarded to the Director of the U. S. Fish and Wildlife Service in Washington so that he will know about Louisiana's views on this subject.

Now basically this statement agrees that lead poisoning is a serious mortality factor with certain species of waterfowl and that lead poisoning problems do exist and they are of considerable magnitude in certain areas in the country. Generally it agrees that a change in the types of shot should be made in these chronic lead poisoning areas but it does recommend that no ban on the use of lead shot be imposed on those waterfowl hunting areas where lead poisoning is not a problem.



That basically summarizes the proposed statement that we have here for your consideration. I believe that Edgar Veillon wants to be heard and there may be others that want to be heard on this proposal.

THE CHAIRMAN: O. K. I recognize Mr. Veillon.

MR. EDGAR VEILLON: Thank you, Mr. Yancey. I would just like to give some supporting comments to this statement by Mr. Yancey. His approach is from the management of the resource standpoint, as well it should be, and we feel that that is the first consideration also. However, from the sportsmen's view, we do feel that there are some other problems with this that I would like to point out at this time, and again this is in support of limiting the change of lead shot to the areas where it is absolutely necessary only, because from the studies that have been conducted with the steel shot, iron shot, besides an additional cost of approximately one-third, they have had some problems with the scarring of barrels.

Also, the steel shot being lighter has a



tendency to drift after approximately 35 yards. This results in an increase in the crippling of the birds, so again it is not a complete solution to the problem. It is the best thing that they have come up with at this time, but because of these inconsistencies with the steel shot, we would like to see it limited to only the areas that are being significantly affected because of the toxic poisoning. Thank you.

MR. YANCEY: There would, of course, be one other disadvantage to the sportsmen and that is that initially, at least, the cost of this iron shot is going to be greater than lead shot. Then, on the other hand, we have investigated some real serious kills of waterfowl in Louisiana over the past 25 years and it is not a pretty sight to see eight or ten thousand sick and dying ducks out on one of these lakes that have picked up these lead pellets while they are feeding. The problem exists mainly in these shallow hard bottom lakes, of which we have a number in Louisiana.

We don't think it is a problem in many of these marshland areas where the pond bottoms are



very soft and rather fluid because when the lead pellets hit the bottom of that marsh pond, they will sink on out of reach of the feeding waterfowl. But when a duck picks up two or three of these lead pellets while he is feeding, the gizzard grinds up lead, it goes into the bloodstream, and it kills the ducks.

We think really what we are looking at here is the tip of an iceberg. We know when we get reports of dead and dying ducks and we go out and find a certain number, maybe five, six or seven thousand, that there are many other birds that are picking up lead shot in that particular area and they are flying out. They may fly two or three miles from the lake and they are too weak to go further and they pitch into the trees and that is where they perish. We have found this situation existing in many of these areas.

We know that there is an awful lot of birds being lost in addition to those that we actually find during the course of one of these investigations. Certainly it would be advantageous to the duck hunter to eliminate this type of mortality



because by so doing then he would have a healthier duck population and perhaps it would even make it possible to liberalize slightly on the season lengths and the bag limits, because that type of mortality would be eliminated.

So, there are pros and cons to it. It is a hot controversial subject but based on all that we know at this time, we would recommend that the Commission adopt this statement and that we forward it on to the Fish and Wildlife Service as our position on the matter.

THE CHAIRMAN: Gentlemen, you have heard the recommendation and unless I hear some objection, since all of us have studied the statement thoroughly, I declare it adopted.

MR. DUPUY: I will so move that we adopt as a position statement the comments of Mr. Yancey.

THE CHAIRMAN: The Chair declares it adopted.

(Full text of the resolution and statement is here made a part of the record.)

BE IT RESOLVED that the



Director is authorized to forward the following statement to the Department of Interior, which outlines the Commission's policy on the proposed use of iron rather than lead shot for hunting migratory waterfowl in the United States:

"The Louisiana Wild Life and Fisheries Commission has reviewed the Interior Department's proposed regulations and impact statement proposing the use of steel shot for hunting waterfowl in the U. S. We offer the following statement concerning this very important issue for the record.

"Louisiana is an extremely important harvest and wintering area for a major portion of the waterfowl resource using the central continent, and waterfowl hunting recreation in Louisiana is deeply entwined in the heritage of our State. The Commission, its staff, and certainly those citizens



who enjoy waterfowl through hunting or viewing are deeply concerned with the welfare of North America's waterfowl resource.

"The potential for lead poisoning as a factor in waterfowl mortality is growing yearly as available habitat shrinks and accumulation of lead pellets continues. We share with the Department of the Interior a profound concern over the annual losses occurring among waterfowl that ingest spent lead shot while feeding and subsequently die from lead poisoning. Our agency has investigated and confirmed a number of sporadic outbreaks of lead poisoning in Louisiana. Only last year a serious kill of lead poisoning involving lesser snow geese occurred in Southwest Louisiana near the Lacassine National Wildlife Refuge.

"We concur with the position that a substitute for lead shot in its present form must be found and placed



in use in certain types of wetlands if this drain on our waterfowl resources is to be reduced. We do not, however, recommend the imposition of a total ban against the use of lead shot since there are many waterfowl hunting areas that do not contribute to the lead poisoning problem.

"Our agency is in the process of obtaining additional information on lead shot ingestion rates among waterfowl wintering in Louisiana. These ongoing studies should allow much better definition of the State's lead poisoning problem. Certainly many ducks and geese arriving in the State are transporting lead shot picked up while the birds are migrating down the flyways, but the percentage is not known at this time. Also, a major portion of Louisiana's game duck population is made up of species such as gadwall and widgeon not normally susceptible to large losses from lead ingestion.



"A considerable portion of Louisiana's 4,000,000 acres of coastal marshes have extremely soft, fluid-like soils, and in all probability are not contributing significantly to the lead shot poisoning problem. On this basis the Louisiana Wild Life and Fisheries Commission would strongly recommend that steel shot be required initially on designated problem areas only. The selection of areas for using iron shot should be based on rigid criteria developed between the states and the U. S. Fish and Wildlife Service. These criteria should include such factors as soil types, water depths, type of food plants being utilized, and use of areas by susceptible species of waterfowl. This proposal should be implemented simultaneously on a nationwide basis and must be accompanied by an intensive monitoring program which would measure any changes that occur



in present lead shot ingestion rates or lead residue levels among harvested waterfowl.

"We strongly urge that an area non-toxic shot requirement concept be adopted as an alternate to Interior's plan for a total ban on lead shot, since it affects fewer hunters. Additionally, fewer steel shot shells would be needed while pursuing the goal of substantially reducing lead induced waterfowl mortality. Should monitoring programs reveal an unacceptable reduction in lead poisoning mortalities or lead shot ingestion rates, then more restrictive regulations can be imposed as needed at a later date. If the partial change to iron shot reduces lead poisoning losses of waterfowl significantly, then every effort should be made to compensate inconvenienced hunters by allowing more liberal harvest regulations.

"There is little doubt that all states share in the total lead poisoning



picture to some degree and it is only fair that all share responsibility in a solution. However, the important point at hand is that a positive start in the direction of eliminating lead poisoning in waterfowl has at last been made.

"The Louisiana Wild Life and Fisheries Commission commends the U. S. Fish and Wildlife Service for its efforts toward resolving the controversial and complex problem of lead poisoning in waterfowl."

THE CHAIRMAN: We are ready for your No. 4, Mr. Yancey.

MR. YANCEY: O. K. While we are on the subject --

MR. DUPUY: Excuse me, Dick, just a minute, before you proceed further. One thing, just as an observation, I understand Catahoula Lake is one of these lakes that is a problem, and I am just wondering if the use of steel shot would make any difference to oldtime hunters like Clay



Luttrell who can't hit anything anyway! (Laughter)

MR. YANCEY: He will have to answer that question!

THE CHAIRMAN: We have a gun now that all we do is hear them fly over and we just put the stock on the floor and pull the trigger and then we go out and pick up what falls!

MR. YANCEY: It sounds like it won't be a problem then.

THE CHAIRMAN: O. K., No. 4, please.

MR. YANCEY: While we are on the subject of ducks, we might take up Item No. 5, which has to do with the allocation of a sum of \$36,105.25 to Ducks Unlimited for waterfowl breeding ground work in Canada. This would constitute the final payment on the sale of the '74-74 basic hunting license in Louisiana. As we all know, Act 190 in 1960 by the legislature provided that 25 cents out of each basic hunting license sold would be turned over to Ducks Unlimited for waterfowl breeding ground work, in maintaining and improving marshlands and potholes in Canada for duck production purposes.



Earlier this year an advance payment of \$50,000 was made to DU on the '74-74 license sales. Now that we have computed the total number of licenses sold, which was 344,421, this will add up to a total of \$86,105.25. At this time we would recommend that you authorize the Director to mail a check for \$36,105.25 to DU as a final payment on the '73-74 license sales.

THE CHAIRMAN: You have heard the request and, if there is no objection from the members of the Board, the Chair grants the request. Mr. Director, you are so ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, in accordance with law, R. S. 56-104 E (1), the Louisiana Wild Life and Fisheries Commission has dedicated funds to be granted to Ducks Unlimited, Inc., for the development and preservation of breeding grounds for migratory waterfowl in Canada, and

WHEREAS, these funds will be



used to produce ducks and geese that winter in Louisiana,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby grant to Ducks Unlimited, Inc., a sum of \$36,105.25 as balance payment on the sale of 1973-74 hunting licenses.

MR. BERRY: For the record's sake, I would like to say that our DU Club over in Morgan City raised either \$17,000 or \$19,000 a couple of weeks ago for DU. I think you will find that was the largest amount raised in the state because we are the best chapter in the state.

MR. YANCEY: The other night they had a DU supper here in New Orleans and there must have been about 800 or 900 people present, all ardent waterfowl hunters from this New Orleans area, and we waved this check around for \$36,000 and told them that this was the Commission's contribution, but we told them that we would hold that check until such time as the Board authorized us to send it on to Chicago, but that was very well received



at that meeting the other night.

MR. BERRY: Mr. Yancey, I would also like to say that Jesse Fontenot over in Morgan City, whom I am sure you all know here, would like very much to be present when we present our next check to DU. I think he told me in particular there would be some kind of meeting in the state of DU, a state meeting or something, and he would like for the Commission at that time to present the check to DU.

MR. YANCEY: O. K. We could pass that on to Herman Taylor. You know he is the national president for DU and lives at Natchitoches.

MR. BERRY: Yes, he was in Morgan City the other night.

MR. DUPUY: Maybe it would be a good idea if we got a little publicity out of making a presentation to the National President of DU, to Herman Taylor directly, and get a picture of it.

MR. BERRY: I think that is what Mr. Fontenot had in mind, I believe, Marc.

MR. VEILLON: If you all are going to go ahead and approve, you know, sending the check to them --



THE CHAIRMAN: It has been approved.

MR. VEILLON: -- the Alexandria area has not had their meeting yet, and there is a pretty good chance Mr. Taylor will be there, too, so maybe this year you would want to go ahead and give it to them at the Alexandria meeting, the DU fundraising meeting at Alexandria.

MR. DUPUY: That is on the twelfth of November.

THE CHAIRMAN: On the twelfth of November, yes.

MR. YANCEY: But Jesse Fontenot wanted publicity given his Morgan City check to DU or the Commission's?

MR. BERRY: Let me double-check with Jesse. I am not just sure. He asked about six or eight different things at one time and I will have to double-check with him. He is on the road now traveling in his camper, coming back from Colorado.

MR. YANCEY: If they raised \$17,000 there, that would make a subject of some nice publicity.

MR. BERRY: I don't know whether it was seventeen or nineteen. I am not too sure. I know



it was at least seventeen.

MR. YANCEY: The next item on the agenda would have to do with a continuation of the Commission's land acquisition program. We all know that this year the Commission was appropriated a sum of \$4.5 million by the legislature to continue with the land acquisition program for the purpose of establishing new wildlife management areas, adding on to the existing wildlife management areas and generally providing the public with a place to go and hunt and fish and camp and so forth and preserve some of the more valuable wildlife habitat that we have in the state.

We have letters from two landowners in Louisiana, offering lands to the Commission. One is from two people in Baton Rouge that own land adjoining the Three Rivers Wildlife Management Area in Concordia Parish. They are offering 1,500 acres of their woodland for sale to the Commission for the sum of \$155 per acre. This tract lies on the southwest boundary of the Three Rivers Wildlife Management Area and our people, Dewey Wells over here has worked on this for us, and we are in agree-



ment that it would be an excellent addition to that game management area.

We think that this is in the ballpark as far as an appraisal would be concerned and we would like to get the Commission at this time to authorize that we proceed with an appraisal of that property to determine its fair market value and see if this will equal the \$155 offer that has been made through the Commission.

Now this land has a timber cutting contract outstanding on it that will run on up to about 1986 and it applies to trees over 12 inches in diameter other than sweet pecans, which is not included in the contract. Also, the sellers are proposing, if the Commission does buy this, then we would buy 750 acres or half this property this calendar year and the other 750 acres during the early part of the next calendar year. Of course, this would be for tax purposes, and we would see no problem with this.

We would recommend that you authorize that we go ahead and have it appraised and once the appraisal is in, we will report back to you on



exactly what the land is valued at and we will determine where we want to go from there.

THE CHAIRMAN: Gentlemen, you have heard the request.

MR. BERRY: So move.

MR. WILLE: Second.

THE CHAIRMAN: Moved by Mr. Berry, seconded by Mr. Wille. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

If I happen to cut someone off, I am trying to get through this agenda because some of the rest of us have planes to catch.

MR. YANCEY: O. K. We have one other offer from Netherlands Corporation, offering 3,100 acres to the Commission in St. Charles Parish and it is situated more or less up in the heart of the Commission's existing Salvador Game Management Area. This is the area in here (indicating on map) and the tract offered to the Commission is cross-hatched here. It is right on the west bank of



Lake Cataouatche and there is no question but what that would be an excellent addition to that game game management area. Also, the Texas Company owns the only other outstanding tract of private land over on the eastern side of the game management area, and they have indicated on two or three occasions that perhaps they would be in agreement to sell that to the Commission.

Mr. Ensminger here is very familiar with this and he feels it would certainly provide many advantages to the Commission to add these two tracts of private lands to the game management area since they lie more or less within the heart of the area.

We would like to recommend that you authorize that we proceed with an appraisal on those tracts to determine if the fair market value is in line with the selling price as outlined by the prospective sellers.

THE CHAIRMAN: You have heard the recommendation.

MR. BERRY: So move.

MR. LAPEYRE: Second.



THE CHAIRMAN: We have a motion by Mr. Berry, seconded by Mr. Lapeyre. All those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

All right, we are ready to move along to Mr. Schafer.

MR. HARRY SCHAFFER: Mr. Chairman and Members of the Board, the item on the agenda for the Oyster Division is the setting of season for tonging of oysters in Calcasieu Lake.

Area biologists have checked this out along with the health department and they have advised us that we can have a season this year. I would like to recommend that the following rules and regulations be in existence during this opening period. The period would open on Friday, November 15, through sunset of March 31, 1975. The oyster fishermen would be limited to use of tongs only and during daylight hours. The opening areas will be confined to the area of Calcasieu



Lake west of the Ship Channel, including the West Cove area, with the exception of Calcasieu River and Ship Channel, East Fork, West Fork and Oyster Bayou, which remain closed by the health department.

The three-inch culling law would be observed. The taking of oysters for commercial purposes would be limited to 15 sacks daily. The taking of oysters for home consumption would be limited to two sacks daily. The taking of oysters for commercial reasons would require the fishermen to have the proper license.

MR. BERRY: Harry, can a man feasibly go out there with a boat, go to the expense of making a trip out to tong these oysters, just to get two sacks of oysters? Wouldn't the cost be kind of prohibitive there? Just to get two sacks of oysters?

MR. SCHAFER: Oh, I don't think so. Most of these are Lake Charles people who fish this thing, and it is just a run down the Lake to pick up two sacks of oysters.

MR. BERRY: I wondered if two sacks wasn't a kind of strict limitation?

MR. SCHAFER: This is the recommendation



and since the thing has been opened we have limited them to the two sacks and they have always been satisfied. They go out there almost daily.

MR. BERRY: I was just thinking about a man getting his boat and driving down to the dock and unloading it, gassing it up and icing it up and getting his beer together, and going down there and spending a day and coming back with two sacks of oysters when he could just as well bring back four sacks. I think this may not be any favor to the individual.

MR. DUPUY: Have there been any complaints about the limitation?

MR. SCHAFER: We haven't had any complaints.

MR. BERRY: I so move, Mr. Chairman.

THE CHAIRMAN: You have heard the recommendation and it has been moved by Mr. Berry.

MR. WILLE: Second.

THE CHAIRMAN: Seconded by Mr. Wille. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)



THE CHAIRMAN: So ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, the Commission biologists and the Chief of the Oysters, Water Bottoms and Seafoods Division have recommended the fishing of the oysters of Calcasieu Lake including the West Cove area with the exception of the Calcasieu River and Ship Channel, East Fork, West Fork and Oyster Bayou, and

WHEREAS, the State Department of Health has examined the growing oysters of this aforementioned area and approved the waters for fishing oysters,

NOW THEREFORE BE IT RESOLVED by the Louisiana Wild Life and Fisheries Commission, at its regular public monthly meeting held in New Orleans on Thursday, October 31, 1974, does hereby declare that the Calcasieu



Lake Oyster Season for 1974-75 be set in accordance with the following rules and regulations:

- (1) That the oyster season in Calcasieu Lake be fixed to extend from daylight Friday, November 15, 1974 through sunset Monday, March 31, 1975, with the right being reserved to extend said season or close it sooner if biologically justifiable.
- (2) That oyster fishing be limited only to the use of tongs and to daylight hours.
- (3) The open areas shall be confined to the area of Calcasieu Lake, west of the Ship Channel, including the West Cove area, with the exception of Calcasieu River and Ship Channel, East Fork, West Fork and Oyster Bayou which shall be closed.



- (4) The three-inch culling law shall be observed by all fishermen fishing the area and the culls shall be scattered around the perimeter of the reefs to provide for expansion and future harvesting.
- (5) The taking of oysters for commercial purposes shall be limited to 15 sacks per boat per day.
- (6) The taking of oysters for home consumption shall be limited to three bushels (two sacks) per boat per day.
- (7) All commercial fishing of oysters shall be done only with proper licenses.

BE IT RESOLVED that the Director be and is hereby authorized and empowered to extend or close said season, if biologically sound.



THE CHAIRMAN: All right, Mr. Ensminger.

MR. ALLAN ENSMINGER: Mr. Chairman and Gentlemen of the Commission, I have two items on the agenda for your consideration today.

The first one is a carryover from last month's meeting. It is an application by Pennzoil Producing Company to construct an access route to State Lease 6110, Well No. 1, on our Rockefeller Wildlife Refuge. The original proposal as presented by Pennzoil was to excavate a canal on Rockefeller about 3,500 feet in length from an existing waterway. This matter was discussed extensively by you at your last Board meeting and was referred to the Mineral Committee of the Louisiana Wild Life and Fisheries Commission to meet with the Mineral Committee of the State Mineral Board.

Meetings were held and the matter was given extensive discussion and review by both committees and a compromise type of canal was finally decided upon by the two committees. This will involve a canal of about 1,650 feet in length off an existing canal so that the oil company can



directionally drill approximately 2,000 feet out from the site where the rig will be set up to reach the original bottom hole desired position.

We have reviewed this matter extensively, as I mentioned, and I feel that this is a practical approach for the company to explore this lease and would like to recommend that the Commission accept the proposal as presented by Pennzoil Producing Company. Now in this proposal they have also agreed to backfill the canal in the event that it is a dry hole when they complete their drilling venture.

THE CHAIRMAN: I would like to add one question to that recommendation. Would you mind if we said that we accept the recommendation as amended? To distinguish between this recommendation and the original recommendation.

MR. ENSMINGER: This will be the amended application by Pennzoil Producing Company presented at this time. Their letter is dated October 23.

THE CHAIRMAN: Gentlemen, you hear the request.

MR. DUPUY: I have one question. It was my understanding during the discussion with the



Mineral Board Committee that we talked in terms of their being no further canal dredging to be done, that if there is any future drilling to be done from this site it would be by directional drilling from this site and there would be no further applications for other canals from this particular access point.

MR. ENSMINGER: That is correct, and the oil company has agreed to make other directional drilling holes from this site if they are so desired, or out of the existing waterways that penetrate this particular lease.

MR. WILLE: I have one question. Under any circumstances do you feel that it would be practical to build a road into this area since there is an existing canal going up to that point? I know they have to bring a barge in there. There is no way feasible without the cost being prohibitive for them to go any other route, is there?

MR. ENSMINGER: Well, this was discussed extensively. Of course, the construction of a roadway from the existing canal to this 1,600 foot site would involve, of course, some marsh disturbance



in itself. Additionally, the physical part of building a docking facility off the existing canal would involve the excavation of a 300 to 350 turning basin in order for their marine equipment to turn around and to place this heavy oilfield drilling equipment up against the dock site. So, whichever way you go, you are going to create virtually the same amount of damage.

Now, since the oil company has agreed to backfill the canal, I feel that this request should be considered.

THE CHAIRMAN: You hear the request. Do I have a motion?

MR. WILLE: I will make the motion.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Wille, seconded by Mr. Dupuy. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

It is so ordered.

(The full text of the
resolution is here made



a part of the record.)

WHEREAS, the Louisiana Wild Life and Fisheries Commission has received an application from Pennzoil Producing Company to construct an access route on Rockefeller Wildlife Refuge to service State Lease 6110, Well No. 1, and

WHEREAS, the original request has been amended to provide for the shortening of the amount of new canal required, and

WHEREAS, discussions regarding this matter were held between the Louisiana Wildlife and Fisheries Commission, Mineral Committee, and Members of the State Mineral Board, and

WHEREAS, it was the conclusion of the meetings that the shorter canal size be utilized,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby grant permission to



Pennzoil Producing Company to excavate 1,650 feet of new canal off of an existing canal located on Rockefeller Wildlife Refuge, State Lease 6110, and

BE IT FURTHER RESOLVED that the Director is hereby authorized to incorporate all necessary safeguards into the letter permit to protect the Rockefeller Wildlife Refuge from damage.

MR. ENSMINGER: The next item on the agenda, of course, is a direct outgrowth of the extensive discussions held between our Commission and the State Mineral Board. The State Mineral Board has received an application for two additional tracts to be put up for leasing on Rockefeller Refuge at their next lease sale.

Since there was a question in the existing rules and regulations which were promulgated around 1960 with regard to the matter of dredging canals, we were requested to take under consideration the possibility of amending our existing rules and regulations for drilling activity on the Refuge.



In reviewing the regulations, it was found that Stipulation No. 6 in our existing regulations is the one that deals explicitly with access routes. Now after considerable discussion among staff members and some of the Commission members in attendance at these Mineral meetings, it was decided that if this stipulation was revised that the oil companies bidding on tracts on Rockefeller would be well aware of the fact that they would be expected to build board roads to existing drilling sites unless they fell close or adjacent to existing waterways.

So, we have revised that segment of the rules and regulations and I would like to read to you the wording that we propose to incorporate in the regulations for the upcoming leases.

(Reading) "Access to or on the leased premises for drilling and production operations shall be by road or sweeping of existing waterways. Whenever it is determined by the State Mineral Board and the Louisiana Wild Life and Fisheries Commission that dredging of slips or turning basins is necessary, this will be allowed only in strict



compliance with the specifications set forth by the State Mineral Board and the Louisiana Wild Life and Fisheries Commission. The Commission will be permitted to use the roads and waterways at all reasonable times."

We feel that this would once and for all spell out to the oil companies bidding on this tract what they are expected to do. Of course, then they could temper their bids and their interest in the Refuge minerals accordingly.

THE CHAIRMAN: You have heard the recommendation. Do I have a motion?

MR. DUPUY: Before the motion, Allan, read again, if you will please, the second sentence of that paragraph.

MR. ENSMINGER: The second sentence says, "Whenever it is determined by the State Mineral Board and the Louisiana Wild Life and Fisheries Commission that dredging of slips or turning basins is necessary, this will be allowed only in strict compliance with the specifications set forth by the State Mineral Board and the Louisiana Wild Life and Fisheries Commission."



THE CHAIRMAN: All right, Marc, do you have any other questions? Any other questions?

MR. DUPUY: I so move, Mr. Chairman.

MR. BERRY: Second.

THE CHAIRMAN: Moved by Mr. Dupuy, seconded by Mr. Wille.

MR. ENSMINGER: As a point of information, Mr. Chairman, I will incorporate this into the regulations. They will be signed by the Director and forwarded to the State Mineral Board so that they can incorporate it in the two upcoming tracts.

THE CHAIRMAN: All in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, the Louisiana Wild Life and Fisheries Commission has received notice from the State Mineral Board that two tracts of unleased



acreage have been nominated for mineral leasing on Rockefeller Wildlife Refuge, and

WHEREAS, rules and regulations are published during the advertisement for bids for mineral leases, and

WHEREAS, these regulations are made part of the mineral lease awarded, and

WHEREAS, certain changes to clarify the means of access to be permitted under the leases within these regulations are needed to protect the wildlife interest,

NOW THEREFORE BE IT RESOLVED that drilling and production operation rules and regulations for Rockefeller Wildlife Refuge be changed as follows: Stipulation No. VI will be changed to read as follows:

VI. Access to or on the leased premises for drilling and production operations shall



be by road or sweeping of existing waterways. Whenever it is determined by the State Mineral Board and the Louisiana Wild Life and Fisheries Commission that dredging of slips or turning basins is necessary, this will be allowed only in strict compliance with the specifications set forth by the State Mineral Board and the Louisiana Wild Life and Fisheries Commission. The Commission will be permitted to use the roads and waterways at all reasonable times.

BE IT FURTHER RESOLVED that all of the other regulations remain the same.

BE IT ALSO RESOLVED that the Director is hereby authorized to approve these regulations and transmit to the State Mineral Board for incorporation in future leasing.



THE CHAIRMAN: O. K., we are down to Mr. Smith.

MR. KENNETH SMITH: Mr. Chairman and Members of the Commission, the one item I have for consideration concerns the digging of two wells and furnishing of turbine pumps for the fresh water supply for the Monroe Fish Hatchery.

We received a list of bidders from Public Works and the low bid for this job is \$28,600. We had made available \$26,500 from last year's budget and to date we have obligated approximately \$3,000 of this amount. Public Works has recommended that we award this low bid if funds are available. We have funds available in this year's budget to make up the difference between the amount available in last year's budget and the contract amount.

I would recommend at this time that the contract be awarded and the additional funds be made available to Public Works to pay for the job.

MR. WILLE: So move.

THE CHAIRMAN: I would like to make a statement on that. I notice that each time that we have to come back and ask for a new bid that



the price goes up, so if the Commission has no objection, I would like to give our Director the power to increase, if necessary, by a small amount, this when it comes up again.

MR. WILLE: Not to exceed over 20 percent.

THE CHAIRMAN: Yes, not to exceed over 10 or 20 percent. 20 percent. Can we have that added to the motion?

MR. WILLE: Yes, I will add that to the motion.

THE CHAIRMAN: You have heard the request and we have --

MR. WILLE: Since we are in a state of inflation, I think that it would be only fair to treat this thing this way, because it costs us about twice as much to rebid this thing, when you have to run it in the paper and so forth and so on. I think that authorizing the Director to do this is the proper thing to do, because we know it probably will run into a cost overrun situation and we are authorizing the Director to handle this.

DIRECTOR ANGELLE: Mr. Dupuy, would the amendment state that providing it meets the legal



requirements of the law?

MR. DUPUY: Yes, I thought that was included.

MR. WILLE: Yes, O. K. You have always got to have a lawyer put his two cents in, is what you are trying to say, sir. And I am the guy who loses money, because I publish the legal!

THE CHAIRMAN: It just might be better that we leave the amendment off, Mr. Director, if there is any question to it at all.

MR. DUPUY: Leave it on there.

THE CHAIRMAN: It doesn't make any difference?

MR. DUPUY: It was Don's motion, anyway.

MR. BERRY: Mr. Chairman, you have a motion and a second. I call the question.

THE CHAIRMAN: O. K. It has been moved by Mr. Wille.

MR. DUPUY: Second.

THE CHAIRMAN: Seconded by Mr. Dupuy, that we grant the request of Mr. Smith with the amendment attached that our Director, if it is legal, be granted the right to increase this



payment by not more than 20 percent in order to facilitate the completion of the contract. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, there is a need for a supply of clean water for the Monroe Fish Hatchery ponds, and

WHEREAS, the Louisiana Department of Public Works has received bids to dig two eight-inch wells with pumps, the lowest bid being \$28,600, and

WHEREAS, Public Works recommends the acceptance of this low bid, providing sufficient funds are available,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission approves the awarding of this



contract to Hammett and Sons of Rayville, Louisiana, providing approximately \$5,500 be made available from the 1974-75 budgeted funds to meet the total bid price, and providing further that the Director be authorized to enter into a contract agreement with this company in the event the low bid amount increases up to 20 percent due to the inclusion of prevailing wage rates.

THE CHAIRMAN: All right, Mr. Herring, finally for you.

MR. JOE HERRING: Thank you, Mr. Chairman. The first thing we have pertains to the Red River Wildlife Management Area. The Concordia Parish School Board has adopted a resolution to cancel their lease agreement with us on their lands that they have within the Red River Wildlife Management Area. I would like to show you a little map of this area.

That marked in red (indicating on map) is the area that is owned by the Concordia Parish School Board. As you can see, this is very



strategically located within the boundaries of our Wildlife Management Area there for enforcement problems and other things that would come up in there. From what indications we have had, these people wish to lease this land within the game management area to private hunting clubs and hunting rights.

This within itself would provide a problem to the game division as well as the enforcement division of the Commission. With this, we would like to recommend to the Commission that this land lying within the Red River Wildlife Management Area have the same hunting seasons as the Red River Wildlife Management Area. This would be, for the deer season, November 23, which would be either sex, and then November 24 for bucks only, and December 28 to January 5 would be bucks only. Then squirrel and rabbits, October 5-November 17, still hunting only, and for waterfowl it would be the same as the outside season except no waterfowl hunting November 23 and 24.

This land is described as Sections 14, 15, 16, Township 3N, Range 7E, and the North one-



half of Section 51, Township 3N, Range 8E, west of Cocodrie Bayou. In their cancellation there the effective date would be October 31, 1974.

Now we have expressed our regrets to the Concordia Parish School Board and also to the State Land Office that this land is being taken out of the Wildlife Management Area, since it has had very good public use in hunting there as well as other outdoor recreation.

I would recommend to the Commission that if this land is taken out that it have the same hunting season as the Red River Wildlife Management Area.

MR. BERRY: So move.

MR. DUPUY: I will second.

THE CHAIRMAN: You have heard the request.
Any discussion?

MR. WILLE: Joe, could we get a memo from you to the Commission members by mail, outlining these hunting seasons so we will have them on file.

MR. HERRING: I can give them to you right now.

MR. WILLE: I meant just a copy of it.



MR. HERRING: I will give you a copy of them at the end of this meeting.

MR. WILLE: Thank you. I appreciate that.

MR. HERRING: Either that, or I can mail them to you, either way you want.

MR. WILLE: Either way.

MR. HERRING: I have copies here.

MR. WILLE: If you mail it to me, I know it will get in the file, but I will take it with me.

MR. HERRING: All right. If it is all right with the Commission, either way.

THE CHAIRMAN: I have a motion and a second.

MR. DUPUY: This information is not in the published bulletin?

MR. HERRING: Well, as such. Now it does cover the Red River Wildlife Management Area in our bulletin and this land lies within the Red River Wildlife Management Area. We would like to make it clear that this land will stay, as far as seasons are concerned, with the same seasons within the Red River Wildlife Management Area.



MR. DUPUY: You are not changing dates?
You are not changing any dates at all?

MR. HERRING: It will be the same as the
wildlife management area itself.

THE CHAIRMAN: I have a motion by Mr.
Berry and a second by Mr. Dupuy. Those in favor,
say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the Concordia Parish
School Board adopted a resolution on
August 1, 1974 requesting the Louisiana
Wild Life and Fisheries Commission to
cancel their lease on Sections 14, 15
and 16, Township 3N, Range 7E, and the
North one-half of Section 51, Township 3N,
Range 8E, west of Cocodrie Bayou, and

WHEREAS, the Commission was



given written notice August 1, 1974 to terminate this lease as set forth in Paragraph V(d) of the lease, therefore the effective date of termination would be October 31, 1974, and

WHEREAS, the Louisiana Wild Life and Fisheries Commission expressed its regrets that this action was taken to both the Concordia Parish School Board and the State Land Office, and

WHEREAS, these lands contribute materially to public hunting and outdoor recreation on the Wildlife Management Area, and

WHEREAS, the Concordia Parish School Board plans to lease this land for hunting club rights, and

WHEREAS, this would be of a serious enforcement problem on the Red River Wildlife Management Area in splitting this area,

NOW THEREFORE BE IT RESOLVED that the hunting seasons for this school



board land be the same as the Red River
Wildlife Management Area:

Deer: November 23, Either Sex.

November 24, Bucks Only.

December 28 - January 5,

Bucks Only.

Squirrel and Rabbit:

October 5 - November 17

Still Hunt Only.

Waterfowl: Same as outside

season EXCEPT no water-

fowl hunting November 23-24.

THE CHAIRMAN: O. K., Joe.

MR. HERRING: Thank you, Mr. Chairman.

The next item we have, South Central Bell back in August requested a right-of-way across our property in Ferriday, Louisiana, which consists of our District IV headquarters there. At that time the Commission did approve this right-of-way to go across our property and in approving it they had certain stipulations that this cable that South Central Bell wished to put through would be buried to a minimum depth of 24 inches and that also the



South Central Bell would pay the same right-of-way fee as other companies have paid in the past to go across Commission land.

We have received a request from South Central Bell at this time that we waive this right-of-way fee, which was a total of \$157.50, and we have that request from them now.

MR. WILLE: I would like to make a motion and then we can come up with discussion on this, Mr. Chairman.

THE CHAIRMAN: You mean you want to discuss it?

MR. WILLE: I want to make a motion, then we can shoot it down. I would like to make a motion that the Commission does not change its policy on right-of-ways for any particular agency, even though this is a temporary line. If anyone requests a temporary telephone, they have to pay the same installation rate as a permanent telephone. We are talking about \$157 and some odd cents here, and I just don't believe that the Commission should change their policy. I think we should hold to our policy and make them pay for the right-of-way



if they want it. If they don't want the right-of-way, they don't have to take it, as far as I am concerned.

THE CHAIRMAN: You are making that in the form of a motion?

MR. BERRY: Second.

THE CHAIRMAN: It has been moved and seconded by Mr. Berry. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, the South Central Bell Telephone Company officials have requested a waiver for the \$157.00 right-of-way fee across the Commission's District IV property, and

WHEREAS, the Louisiana Wild Life and Fisheries Commission approved this right-of-way at the August Commission



meeting, and

WHEREAS, this right-of-way
is for the purpose of a telephone line
for a new home and subdivision, and

WHEREAS, this line may be
for purposes of a Centrex line and
may be of a temporary nature,

NOW THEREFORE BE IT RESOLVED
that the present right-of-way agreement
be confirmed and that a fee of \$157.00
be paid by the South Central Bell
Telephone Company for this right-of-way,
and

BE IT FURTHER RESOLVED that
should the Louisiana Wild Life and
Fisheries Commission need to construct
a structure over this right-of-way
that the South Central Bell Telephone
Company move the line to another loca-
tion at the expense of South Central Bell.

THE CHAIRMAN: I believe that brings us
down to 12, Joe.

MR. HERRING: O. K. Mr. Chairman, the



next one, Cypress Construction Company has completed repairs on our Fort Pike boat ramp, and these repairs were in the amount of \$6,700. Now the State Department of Public Works has been our engineering agency for this project and they have notified us that the contractor has met all the specifications as drawn up in the contract and have requested that we approve this.

I recommend that we do accept these repairs on the Fort Pike boat ramp so that the contractor can file for his ten percent retainer fee that he has put. This is the recommendation of the Department of Public Works, and I so recommend, Mr. Chairman.

MR. BERRY: I so move, Mr. Chairman.

THE CHAIRMAN: You have heard the recommendation, as so moved by Mr. Berry.

MR. DUPUY: I second it.

THE CHAIRMAN: Seconded by Mr. Dupuy.
Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)



THE CHAIRMAN: So ordered.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the Chief Engineer of
the Department of Public Works, State of
Louisiana, has certified to this Board of
Commissioners that the Contractor has
completed Contract No. 6630, between this
Louisiana Wild Life and Fisheries Commis-
sion and Cypress Construction Co., Inc.,
for erosion repairs at the Fort Pike boat
ramp and wharf in Orleans Parish, Louisiana,
and has recommended that the same be
accepted,

NOW THEREFORE BE IT RESOLVED
by the Louisiana Wild Life and Fisheries
Commission of Orleans Parish that the
work done by Cypress Construction Co.,
Inc, contractor under Contract No. 6630
with this Commission, dated October 31,
1974, be and hereby is accepted.

BE IT FURTHER RESOLVED that



the secretary be and is authorized and directed to file a certified copy of this resolution in the Mortgage Records of this Parish.

THE CHAIRMAN: O. K., No. 13, Joe.

MR. HERRING: Thank you, Mr. Chairman.

The next item we have pertains to a fence on our Pearl River Wildlife Management Area. The Hurricane Fence Company of Metairie, Louisiana, has completed fence construction at the headquarters site there and this construction was in the amount of \$3,297. Since it has been completed and they have met the requirements of the contract that we had with them on this job, I recommend that we also accept this job as completed so that the contractor can file for his ten percent retainer fee on this job.

THE CHAIRMAN: You have heard the recommendation. Is there any discussion? If there is no discussion, do I have a motion?

MR. LAPEYRE: So move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Lapeyre,



seconded by Mr. Dupuy. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

The motion is carried.

MR. HERRING: Thank you, Mr. Chairman.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the Louisiana Wild
Life and Fisheries Commission entered
into a contract for the amount of \$3,297
with the Hurricane Fence Company of
Metairie, Louisiana;

WHEREAS, the purpose of this
fencing contract was to fence the head-
quarters site of the Pearl River Wild-
life Management Area;

WHEREAS, this project has been
completed in accordance with plans and
specifications;

THEREFORE BE IT RESOLVED by
the Louisiana Wild Life and Fisheries



Commission that the work done by the Hurricane Fence Company be and is hereby accepted;

BE IT FURTHER RESOLVED that the Director be and is authorized to file a certified copy of this resolution in the mortgage records of St. Tammany Parish.

THE CHAIRMAN: All right, we have under Other Business Mr. Angelle.

DIRECTOR ANGELLE: Mr. Chairman and Members of the Board, some time ago a contract was awarded to Cool-View Awning for the purpose of providing a lightweight aluminum awning at the wharf. They were low bidder at the time. This work has been completed. I have been informed by Mr. Claude LeBlanc, our marine superintendent, that he is satisfied with the conditions of the contract and that we accept the work as it has been completed.

THE CHAIRMAN: You have heard the recommendation. Is there any discussion? Hearing no discussion, do I have a motion?



MR. BERRY: So move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Berry,
seconded by Mr. Dupuy. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

DIRECTOR ANGELLE: The other item is the acceptance of the low bid of \$14,870 plus a ten percent engineering fee by Suburban Electric, Inc. for the installation of a new panelboard here at our main building. There were two bids offered, one for fourteen and the other one twenty-three. We recommend that we accept the low bid of \$14,000 for the installation of electrical distribution panel board at the office here in New Orleans.

THE CHAIRMAN: You have heard the recommendation. Is there any discussion? Hearing no discussion, do I have a motion?

MR. LAPEYRE: So move.

MR. BERRY: Second.

THE CHAIRMAN: Moved by Mr. Lapeyre,



seconded by Mr. Berry. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

MR. BERRY: I move we adjourn.

THE CHAIRMAN: We have a motion to adjourn. Do we have any other --

MRS. PENDLEY: The next meeting date.

THE CHAIRMAN: Oh, I am sorry. I had it on here, but we got off on such a hurry. The next meeting of the Wild Life and Fisheries Commission will be November 25 and 26. I realize that that is close to Thanksgiving, but then we also have a meeting on the Monday and Tuesday preceding, so the 18th and 19th are out, so I can't find a better date. Any objections? Do you have a better date?

MR. YANCEY: You have Thanksgiving that Thursday and the deer season opens on the 23rd, so I wondered if anybody had made any plans. The season opens on Saturday, the 23rd, and we are having the meeting on Monday, the 25th, and Tuesday, the 26th, so there may be some conflict.



THE CHAIRMAN: It is surely going to conflict, but we have the 18th and 19th out. Do you have any better suggestions? We are going to have to have an early meeting in December and I don't feel we could go any earlier in November, Dick. I don't see a better way. It is certainly going to conflict with our interests in deer hunting. O. K., if there is not a better date -- I would like to hunt those two days; I want to, in fact. O. K., it then stands at November 25 and 26.

Thank you. If there is no other discussion, we will adjourn, gentlemen.

. . . Thereupon, at 12:30 o'clock p.m., Thursday, October 31, 1974, the regular monthly Board meeting of Louisiana Wild Life and Fisheries Commission was adjourned. . . .

Kathryn G. Chamberlin,
Reporter.

